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**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH**

In re DAVID CHARLES NICHOLLS Debtor,	Bankruptcy No.: 19-29131 Chapter 7 HONORABLE KEVIN R. ANDERSON
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**MOTION AND MEMORANDUM TO AVOID JUDGMENT LIENS IMPAIRING
HOMESTEAD EXEMPTION**

Debtor(s), by and through Counsel, Daren J. Harris, moves this court under 11 U.S.C. §522(f); Utah Code Anno. §§70A-9a-203 and 70A-9a-303 for an order avoiding the judgment liens that encumber Debtor's homestead exemption.

Incorporated by this reference and in further support of this motion is the Debtor's memorandum of law. The judicial liens sought to be avoided are as follows:

Case Name	Bk. Claim No.	Court Case #	Court	Amount of original judgment	Date Rendered
David Doyle dba Quarrystone Financial Services v. David C. Nicholls	Not filed	196500636	Third Judicial District Court in and for Summit County, State of Utah	\$19,495.14	June 21, 2019

Hermosa Beach Police Department and the City of Hermosa Beach	Not filed	126501480	Third District Court, State of Utah, Summit County, Silver Summit Department	\$3,921.00	February 21, 2013
A. Edward Ezor vs. David Nicholls	Not filed	096400131	Third District Court, State of Utah, Salt Lake County, West Jordan Department	\$9,778.11	January 4, 2011

I. FACTS

1. Debtor commenced this case on by filing a voluntary petition for relief under Chapter 7 of Title 11 of the United States Bankruptcy Code.

2. The property to which these Liens relate is Debtor's principal residence commonly known as 2064 Snow Creek Ln, Park City, UT 84060 and more particularly described as:

UNIT 2064, SNOW CREEK COTTAGES, A UTAH CONDOMINIUM PROJECT, TOGETHER WITH ITS APPURTENANT UNDIVIDED OWNERSHIP INTEREST IN AND TO THE COMMON AREAS A FACILITIES, AS ESTABLISHED AND DESCRIBED IN THE CONDOMINIUM PLAT RECORDED APRIL 20, 2010 AS ENTRY NO. 896386; AND IN THE DECLARATION OF CONDOMINIUM FOR SNOW CREEK COTTAGES RECORDED APRIL 20, 2010 AS ENTRY NO. 896387 IN BOOK 2028 AT PAGE 1543, AND ADMENDMENT TO THE DECLARATION OF CONDIMINIUM RECORDED JUNE 29, 2010 AS ENTRY NO. 902019 IN BOOK 2038 AT PAGE 451, according to the official plat thereof recorded in the office of Summit County Recorder,

Tax Serial No. SCCC-2064

a. A. Edward Ezor Lien

3. On or about August 23, 2007, A. Edward Ezor obtained a Judgment against the Debtor in the Southeast District, Superior Court of the State of California in the original amount of \$9,778.11 in Case #07CP0773 (Copy of Docket attached as Exhibit A and incorporated herein by reference).

4. That judgement was domesticated in the Third District Court, State of Utah, Salt Lake County, West Jordan Department on March 9, 2010 in Case No. 096400131 (Copy of Docket attached as Exhibit B and incorporated herein by reference).

5. The judgment was recorded in the office of the Summit County Recorder January 4, 2011 at Entry No. 00914327 in Book 2064 at Page 0762. Pursuant to UCA §78B-5-202 , “a judgment entered by a district court or a justice court in the state becomes a lien upon real property if: (i) the judgment or an abstract of the judgment containing the information identifying the judgment debtor as described in Subsection 78B-5-201(4) is recorded in the office of the county recorder.”

6. A. Edward Ezor’s interest in the judgement was assigned to David Doyle d/b/a Quarrystone Financial Service on September 13, 2017. See Exhibit A at p. 2.

7. The Utah judgement in Case # 096400131 was set aside on October 10, 2017. See Exhibit B at p. 2.

8. Despite the judgement being set aside, A. Edward Ezor re-recorded his judgement lien in the office of the Summit County Recorder on July 15, 2019 at Entry No. 01113666 in Book 2516 at Page 0572.

9. This constitutes a wrongful lien.

b. David Doyle d/b/a Quarrystone Financial Services Lien

10. Despite A. Edward Ezor’s Utah judgment being set aside, David Doyle d/b/a Quarrystone Financial Service was able to re-initiate the foreign judgment on June 21, 2019 in Case #196500636. This time, the judgment is for \$19,495.14. (Copy of Docket attached as Exhibit C and incorporated herein by reference).

11. David Doyle recorded his judgment lien in the office of the Summit County Recorder on August 13, 2019 at Entry No. 01115942 in Book 2523 at Page 0257.

12. This lien is also wrongful in that the lien had already been recorded by A. Edward Ezor.

c. Hermosa Beach Police Department and City of Hermosa beach Lien

13. On or about November 21, 2008, the Hermosa Beach Police Department and the City of Hermosa Beach was awarded costs in defending itself in a case filed by Debtor in the Superior Court of the State of California for the County of Los Angeles in Case number YC054109 in the amount of \$2,057.00. (Copy of Docket attached as Exhibit D and incorporated herein by reference).

14. That judgement was domesticated in the Third District Court, State of Utah, Summit County, Silver Summit Department on December 20, 2012 in Case No. 126501480 (Copy of Docket attached as Exhibit E and incorporated herein by reference).

15. The City of Hermosa Beach recorded its judgment lien in the office of the Summit County Recorder on February 21, 2012 at Entry No. 00964041 in Book 2172 at Page 0160.

16. This lien appears to legitimate

II. LAW

17. 11 U.S.C. §522(f) provides that Debtors may avoid judicial liens that encumber the property to the extent that the lien impairs an exemption to which the Debtor would otherwise be entitled.

18. 11 U.S.C. §522(f)(2)(A) further provides the formula to determine the calculation of

whether a judicial lien impairs an exemption:

For the purposes of this subsection, a lien shall be considered to impair an exemption to the extent that the sum of—

- (i) the lien;
- (ii) all other liens on the property; and
- (iii) the amount of the exemption that the debtor could claim if there were no liens on the property;

exceeds the value that the debtor's interest in the property would have in the absence of any liens.

19. This court has jurisdiction over this matter filed pursuant to 11 U.S.C. § 522(f) to avoid and cancel a judgment lien held by David Doyle / A. Edward Ezor and Hermosa Beach Police Department and the City of Hermosa Beach on the Debtor's residence, under 28 U.S.C. § 1334.

III. ANALYSIS

20. The Debtor has a first mortgage through the United States Department of Agriculture Rural Development Centralized Servicing Center in the amount of \$194,536.48. (Copy of Payoff Statement attached as Exhibit F and incorporated herein by reference).

21. The Debtor also has a subsidy through the United States Department of Agriculture Rural Development Centralized Servicing Center in the amount of \$54,255.82. See Exhibit F at p. 2. This constitutes a secured lien on the property.

22. The Debtor also has a Home Equity Line of Credit through Zions Bank in the amount of \$16,251.44. (Copy of November Statement attached as Exhibit G and incorporated herein by reference).

23. The total of these three liens on the Debtor's property is \$265,043.74.

24. Debtor has claimed an exemption in the amount of \$42,000.00 in said residence under Utah Code Anno. §78B-5-503(2) which is not now subject to challenge under Bankr. 4003(b); *Taylor v. Freeland & Kronz*, 503 U.S. 638 (1992).

25. The Debtor's interest in the property referred to in the preceding paragraphs is presently valued by the Summit County Assessor at \$228,500 as of the 2019 property tax assessment. This amount is less than the amount owing on the first mortgage, subsidy, HELOC, and the exemption

to which the Debtor is entitled. (Copy of 2019 Property Tax Assessment is attached as Exhibit H and incorporated herein by reference).

26. The claims held by A. Edward Ezor, David Doyle d/b/a Quarystone Financial Service, and Hermosa Beach Police Department / City of Hermosa Beach are wholly unsecured except through the judgment liens.

27. As there is currently no value in the property above the exemption, the exemption is encumbered by creditor's judgment liens pursuant to the calculation set forth in *Zeigler v. Cozad*, Bankr. No. 95-24638 and 11 U.S.C. §522(f)(2)(A) attached hereto as Exhibit I.

28. The existence of the aforementioned judgment liens on Debtor's property impairs the Debtor's exemption to which the Debtor would otherwise be entitled under 11 U.S.C. § 522(b) and UCA §78B-5-503(2).

29. There is no other provision of the Bankruptcy Code that otherwise allows wholly unsecured liens such as the ones in question to be retained or otherwise reinstated due to their impairment of the homestead exemption.

WHEREFORE, the Debtor prays for an order avoiding and canceling said judicial liens in the above-mentioned property, and for such additional or alternative relief as may be just and proper.

Dated this January 15, 2020.

/s/ Daren J. Harris
Attorney for the Debtor

CERTIFICATE OF MAILING

The undersigned hereby certifies that on January 17, 2020, the foregoing **Motion and Memorandum to Avoid Judgment Liens Impairing Homestead Exemption** was served on the following via electronic filing notice and via United States Mail and/or through ECF Notice:

Stephen W. Rupp Trustee
Via ECF

U.S. Trustee
Via ECF

David Doyle dba Quarystone Financial Services
c/o Mark Swan
Strong & Hanni, PC
9350 South 150 East, Suite 820
Sandy, UT 84070

City of Hermosa Beach
c/o S. Frank Harrell
Lynberg & Watkins
1100 Town & Country Rd., Suite 1450
Orange, CA 92868

SUMMIT BANKRUPTCY, P.L.L.C.

/s/ Daren J. Harris _____
Daren J. Harris

Exhibit A

**Docket Sheet – A. Edward Ezor v. David
Nicholls (LASC - Case No. 07CP0773)**

CASE INFORMATION

[Case Information](#) | [Register Of Actions](#) | [FUTURE HEARINGS](#) | [PARTY INFORMATION](#)

Case Number: 07CP0773

EZOR, A. EDWARD VS NICHOLLS, DAVID C.

Filing Courthouse: Stanley Mosk Courthouse

Original Case Number: 07C00773

Original Court: Pasadena Courthouse

Filing Date: 04/02/2007

Case Type: Other Breach of Contract/Warranty (not fraud or negligence) (Limited Jurisdiction)

Status: Court Finding - After Court Trial

[Click here to access document images for this case](#)

If this link fails, you may go to the Case Document Images site and search using the case number displayed on this page

FUTURE HEARINGS

[Case Information](#) | [Register Of Actions](#) | [FUTURE HEARINGS](#) | [PARTY INFORMATION](#)

None

[Case Information](#) | [Register Of Actions](#) | [FUTURE HEARINGS](#) | [PARTY INFORMATION](#)

Parties

Plaintiff: EZOR A. EDWARD

Defendant: NICHOLLS DAVID C.

Attorney for Plaintiff: EZOR A. EDWARD

Attorney for Defendant: TILLIPMAN JAMES M ESQ

Assignee: DOYLE DAVID

[Case Information](#) | [Register Of Actions](#) | [FUTURE HEARINGS](#) | [PARTY INFORMATION](#)

05/31/2019 Updated -- Other - Clerk's Declaration Re: Search and Order to Deem Copy as Original: As To Parties: removed

05/30/2019 Abstract of Judgment - Civil and Small Claims; Issued by: Clerk

05/24/2019 Updated -- Other - Clerk's Declaration Re: Search and Order to Deem Copy as Original: As To Parties: removed

05/24/2019 Updated -- Other - Clerk's Declaration Re: Search and Order to Deem Copy as Original: As To Parties: removed

05/22/2019 Notice of Rejection - Post Judgment; Filed by: Clerk

05/20/2019 Other - Clerk's Declaration Re: Search and Order to Deem Copy as Original; Filed by: Clerk

05/15/2019 Updated -- Writ of Execution (Los Angeles): As To Parties: removed

04/05/2019 Notice of Rejection - Post Judgment; Filed by: Clerk

03/29/2019 Writ of Execution (SAN FRANCISCO); Issued by: Clerk; County: SAN FRANCISCO

03/28/2019 Memorandum of Costs After Judgment, Acknowledgment of Credit, and Declaration of Accrued Interest; Filed by: Clerk; As to: DAVID C. NICHOLLS (Defendant); Costs: 0.00; Interest: 2,088.37; Credits: 0.00

03/22/2019 Notice of Rejection - Post Judgment; Filed by: Clerk

03/11/2019 Writ of Execution (Los Angeles); Filed by: County: Los Angeles

03/11/2019 Memorandum of Costs After Judgment, Acknowledgment of Credit, and Declaration of Accrued Interest; Issued by: Clerk

02/25/2019 Notice of Rejection - Post Judgment; Filed by: Clerk

08/20/2018 Notice of Rejection - Post Judgment; Filed by: Clerk

02/22/2018 Notice of Renewal of Judgment; Issued and Filed by: Clerk

09/13/2017 Assignment of Judgment; Filed by: DAVID DOYLE (Assignee); A. EDWARD EZOR (Plaintiff); As to: DAVID C. NICHOLLS (Defendant)

09/13/2017 Acknowledgement of Assignment of Judgment; Filed by: A. EDWARD EZOR (Plaintiff); As to: DAVID C. NICHOLLS (Defendant)

07/21/2017 APPLICATION FOR RENEWAL OF JUDGMENT RECEIVED AS TO A EDWARD EZOR .

07/21/2017 Memorandum of Costs After Judgment, Acknowledgment of Credit, and Declaration of Accrued Interest; Filed by: A. EDWARD EZOR (Plaintiff); As to: DAVID C. NICHOLLS (Defendant); Interest: 9,687.03

07/21/2017 Application for and Renewal of Judgment; Filed by: A. EDWARD EZOR (Plaintiff); As to: DAVID C. NICHOLLS (Defendant)

07/21/2017 Court orders judgment renewed for Plaintiff (EZOR, A. EDWARD) against Defendant (NICHOLLS, DAVID C.) on the Complaint filed by A. EDWARD EZOR on 04/02/2007 for the judgment amount of \$9,778.11, post judgment interest \$9,687.03, and fee for filing renewal of \$30.00 for a total of \$19,495.14.

06/21/2017 REJECT SHEET SENT TO PLAINTIFF FOR REJECTION OF NEED THE MEMORANDUM OF COSTS FORM FOR THE INTEREST THAT YOU ARE ASKING FOR SUBMITTED ON 04/25/17

06/06/2017 CASE FILE FORWARDED TO STANLEY MOSK COURT RE: RENEWAL OF JUDGMENT

04/25/2017 APPLICATION FOR AND RENEWAL OF JUDGMENT RECEIVED AS TO A EDWARD PARKER .

12/30/2013 WRIT OF EXECUTION RETURNED FROM LOS ANGELES COUNTY WHOLLY UNSATISFIED. COSTS \$ 105.00 .

03/23/2013 * CASE RENUMBERED FROM PAS07C00773 TO LAM07CP0773

01/25/2012 DECLARATION RE: ACCRUED INTEREST FILED, \$ 4211.28 .

01/25/2012 WRIT OF EXECUTION ISSUED TO LOS ANGELES COUNTY ON BEHALF OF (EZOR, A. EDWARD) , RECEIPT NO. PAS517153006 . MAIL

12/20/2011 ASSOCIATION OF ATTORNEY FILED BY PLAINTIFF (EZOR, A. EDWARD) BAR NUMBER AND ATTORNEY NAME: 169180-17 GARY A. WEIS

10/26/2010 ABSTRACT OF JUDGMENT ISSUED. MAILED . RECEIPT # PAS463601010 .

08/31/2010 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DEPT. NES , HON. JOSEPH F. DE VANON PRESIDING FOR EXAM. OF JUDGMENT DEBTOR. NO APPEARANCE BY OR FOR EITHER PARTY. COURT ORDERS MATTER PLACED OFF CALENDAR.

08/31/2010 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DEPT. NES , HON. JOSEPH F. DE VANON PRESIDING FOR EXAM. OF JUDGMENT DEBTOR. NO APPEARANCE BY OR FOR EITHER PARTY. COURT ORDERS MATTER PLACED OFF CALENDAR.

08/12/2010 APPLICATION UNDER SEC. 708.110 CCP FOR ISSUANCE OF ORDER OF EXAMINATION FOR

JUDGMENT DEBTOR (NICHOLLS, DAVID C.) ISSUED. HEARING SET FOR 08/31/10 AT 08:30A M, IN DIV. NES .
RECEIPT # 003

05/21/2010 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DEPT. NES , HON. JOSEPH F. DE VANON
PRESIDING FOR EXAM. OF JUDGMENT DEBTOR. NO APPEARANCE BY OR FOR EITHER PARTY. COURT
ORDERS MATTER PLACED OFF CALENDAR.

05/21/2010 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DEPT. NES , HON. JOSEPH F. DE VANON
PRESIDING FOR EXAM. OF JUDGMENT DEBTOR. NO APPEARANCE BY OR FOR EITHER PARTY. COURT
ORDERS MATTER PLACED OFF CALENDAR.

04/23/2010 APPLICATION UNDER SEC. 708.110 CCP FOR ISSUANCE OF ORDER OF EXAMINATION FOR
JUDGMENT DEBTOR (NICHOLLS, DAVID C.) ISSUED. HEARING SET FOR 05/21/10 AT 08:30A M, IN DIV. NES .
RECEIPT # 3048

02/10/2010 WRIT OF EXECUTION RETURNED FROM SAN BERNARDINO COUNTY WHOLLY UNSATISFIED.
COSTS \$ 30.00 .

08/26/2009 REMITTITUR AND RECORD ON APPEAL FILED. JUDGMENT AFFIRMED.

08/12/2009 EX PARTE APPLICATION RE: MOTION TO TAKE JUDGMENT DEBTOR EXAMINATION OFF CALENDAR
AND QUASH ORDER FILED. FILE SENT TO DEPT. NES . RECEIPT # PAS542558001

08/12/2009 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DEPT. NES , HON. JOSEPH F. DE VANON
PRESIDING FOR HEARING RE: EX PARTE APPLICATION TO TAKE JUDGMENT DEBTOR EXAMINATION OFF
CALENDAR; . THE COURT RULES AS FOLLOWS: APPLICATION IS GRANTED. DEFENSE COUNSEL IS ORDERED
TO PROVIDE PLAINTIFF WITH PERSONAL ADDRESS AND PHONE NUMBER OF DEFENDANT. P.O. BOX WILL
NOT SUFFICE. ORDER IS SIGNED AND FILED THIS DATE.

08/12/2009 ORDER RE: EX PARTE APPLICATION SIGNED BY JOSEPH F. DE VANON AND FILED.

08/12/2009 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DEPT. NES , HON. JOSEPH F. DE VANON
PRESIDING FOR HEARING RE: EX PARTE APPLICATION TO TAKE JUDGMENT DEBTOR EXAMINATION OFF
CALENDAR; . THE COURT RULES AS FOLLOWS: APPLICATION IS GRANTED. DEFENSE COUNSEL IS ORDERED
TO PROVIDE PLAINTIFF WITH PERSONAL ADDRESS AND PHONE NUMBER OF DEFENDANT. P.O. BOX WILL
NOT SUFFICE. ORDER IS SIGNED AND FILED THIS DATE.

07/30/2009 WRIT OF EXECUTION ISSUED TO SAN BERNARDINO COUNTY ON BEHALF OF (EZOR, A. EDWARD)
{OVER THE COUNTER} , RECEIPT NO. PAS542558012 .

07/22/2009 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DEPT. NES , HON. JOSEPH F. DE VANON
PRESIDING FOR STATUS CONFERENCE. MATTER CONTINUED TO 08/12/09 AT 08:30A M, IN DEPT. NES .
DEFENDANT DAVID NICHOLLS (THROUGH DEFENSE COUNSEL) IS ORDERED TO APPEAR ON ABOVE DATE
FOR A JUDGMENT DEBTOR EXAMINATION. NOTICE WAIVED.

07/22/2009 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DEPT. NES , HON. JOSEPH F. DE VANON
PRESIDING FOR STATUS CONFERENCE. MATTER CONTINUED TO 08/12/09 AT 08:30A M, IN DEPT. NES .
DEFENDANT DAVID NICHOLLS (THROUGH DEFENSE COUNSEL) IS ORDERED TO APPEAR ON ABOVE DATE
FOR A JUDGMENT DEBTOR EXAMINATION. NOTICE WAIVED.

07/17/2009 DECLARATION RE: ACCRUED INTEREST FILED, \$ 1861.86 .

07/17/2009 WRIT OF EXECUTION ISSUED TO LOS ANGELES COUNTY ON BEHALF OF (EZOR, A. EDWARD)
{OVER THE COUNTER} , RECEIPT NO. PAS542558008 .

07/01/2009 REJECT SHEET SENT TO (EZOR, A. EDWARD) FOR REJECTION OF WRIT OF EXECUTION.
JUDGMENT WAS SET ASIDE BY COURT ON 10/9/07. SUBMITTED ON 06/30/09

06/30/2009 WRIT OF EXECUTION ISSUED TO LOS ANGELES COUNTY RETURNED FILED; NO SERVICE.

05/01/2009 NOTICE OF CONTINUANCE FILED.

04/30/2009 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DEPT. NES , HON. JOSEPH F. DE VANON

PRESIDING FOR STATUS CONFERENCE. MATTER CONTINUED TO 07/22/09 AT 08:30A M, IN DEPT. NES .
PLAINTIFF TO GIVE NOTICE.

04/30/2009 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DEPT. NES , HON. JOSEPH F. DE VANON
PRESIDING FOR STATUS CONFERENCE. MATTER CONTINUED TO 07/22/09 AT 08:30A M, IN DEPT. NES .
PLAINTIFF TO GIVE NOTICE.

02/10/2009 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DEPT. NES , HON. JOSEPH F. DE VANON
PRESIDING FOR STATUS CONFERENCE. MATTER CONTINUED TO 04/30/09 AT 08:30A M, IN DEPT. NES . NOTICE
WAIVED.

02/10/2009 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DEPT. NES , HON. JOSEPH F. DE VANON
PRESIDING FOR STATUS CONFERENCE. MATTER CONTINUED TO 04/30/09 AT 08:30A M, IN DEPT. NES . NOTICE
WAIVED.

11/14/2008 NOTICE OF UNAVAILABILITY OF COUNSEL FILED.

10/20/2008 NOTICE OF ORDER ON EXPARTE MOTION TO TAKE HEARINGS OFF CALENDAR AND CONTINUE
STATUS CONFERENCE FILED.

10/16/2008 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DEPT. NES , HON. JOSEPH F. DE VANON
PRESIDING FOR HEARING RE: EX PARTE APPLICATION FOR ORDER TO TAKE HEARINGS OFF CALENDAR AND
TO CONTINUE STATUS CONFERENCE . APPLICATION GRANTED. STATUS CONFERENCE AND OSC-RE
SANCTIONS ARE CONTINUED TO 2/10/09 AT 8:30 AM IN NES. BODY ATTACHMENT ISSUED AND HELD AS TO
JUDGMENT DEBTOR, DAVID NICHOLS, IS RECALLED AND QUASHED. DEFENDANT TO GIVE NOTICE.

10/16/2008 APPLICATION FOR EX PARTE ORDER RE: TO TAKE HEARINGS OFF CALENDAR AND TO CONTINUE
STATUS CONFERENCE , P & A, AND DECLARATION RE: TWENTY-FOUR HOUR NOTICE FILED. SET FOR 10/16/08
AT 08:30A M, IN DEPT. NES . RECEIPT # FEE WAIVER

10/16/2008 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DEPT. NES , HON. JOSEPH F. DE VANON
PRESIDING FOR HEARING RE: EX PARTE APPLICATION FOR ORDER TO TAKE HEARINGS OFF CALENDAR AND
TO CONTINUE STATUS CONFERENCE . APPLICATION GRANTED. STATUS CONFERENCE AND OSC-RE
SANCTIONS ARE CONTINUED TO 2/10/09 AT 8:30 AM IN NES. BODY ATTACHMENT ISSUED AND HELD AS TO
JUDGMENT DEBTOR, DAVID NICHOLS, IS RECALLED AND QUASHED. DEFENDANT TO GIVE NOTICE.

10/16/2008 MATTER SET FOR STATUS CONFERENCE ON 02/10/09 AT 08:30A M, IN DEPT. NES .

09/23/2008 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DEPT. NES , HON. JOSEPH F. DE VANON
PRESIDING FOR STATUS CONFERENCE. MATTER CONTINUED TO 10/23/08 AT 08:30A M, IN DEPT. NES . THE
COURT SETS AN OSC RE SANCTIONS FOR DEFENDANT/JUDGMENT DEBTOR'S FAILURE TO APPEAR THIS
DATE. JUDGMENT DEBTOR EXAM IS CONTINUED TO THE ABOVE DATE AND TIME. BENCH WARRANT IS
ISSUED AND HELD AS TO JUDGMENT DEBTOR

09/23/2008 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DEPT. NES , HON. JOSEPH F. DE VANON
PRESIDING FOR STATUS CONFERENCE. MATTER CONTINUED TO 10/23/08 AT 08:30A M, IN DEPT. NES . THE
COURT SETS AN OSC RE SANCTIONS FOR DEFENDANT/JUDGMENT DEBTOR'S FAILURE TO APPEAR THIS
DATE. JUDGMENT DEBTOR EXAM IS CONTINUED TO THE ABOVE DATE AND TIME. BENCH WARRANT IS
ISSUED AND HELD AS TO JUDGMENT DEBTOR

07/25/2008 RECEIPT FOR RECORD OF TRANSFER FILED. NEW CASE NUMBER 027622 .

07/16/2008 CLERK'S CERTIFICATE RE: TRANSCRIPT(S) ON APPEAL FILED. CUSTOMIZED FORM TITLED:
CLERK'S CERTIFICATION RE: TRANSCRIPT(S) ON APPEAL

07/15/2008 NOTICE OF TRANSMITTAL OF RECORD ON APPEAL TO SUPERIOR COURT APPELLATE
DEPARTMENT FILED AND MAILED TO RESPECTIVE PARTIES/ COUNSEL. CLERK'S CERTIFICATE OF SERVICE
FILED.

06/20/2008 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DEPT. NES , HON. JOSEPH F. DE VANON
PRESIDING FOR STATUS CONFERENCE. MATTER CONTINUED TO 09/23/08 AT 08:30A M, IN DEPT. NES .

MATTER CONTINUED AT THE TELEPHONIC REQUEST OF PLAINTIFF. PLAINTIFF TO GIVE NOTICE.

06/20/2008 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DEPT. NES , HON. JOSEPH F. DE VANON PRESIDING FOR STATUS CONFERENCE. MATTER CONTINUED TO 09/23/08 AT 08:30A M, IN DEPT. NES . MATTER CONTINUED AT THE TELEPHONIC REQUEST OF PLAINTIFF. PLAINTIFF TO GIVE NOTICE.

06/17/2008 EX PARTE APPLICATION RE: TO TAKE JUDGEMENT DEBTOR HEARING OFF CALENDAR FILED. FILE SENT TO DEPT. NES . RECEIPT # PAS533572007

06/17/2008 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DEPT. NES , HON. JOSEPH F. DE VANON PRESIDING FOR HEARING RE: EX PARTE APPLICATION FOR AN ORDER TO TAKE JUDGMENT DEBTOR HEARING OFF CALENDAR AND TO CONTINUE STATUS CONFERENCE . APPLICATION DENIED. APPLICATION DENIED AS MOOT. MOVING PARTY TO GIVE NOTICE.

06/17/2008 NOTICE OF CONTINUANCE OF STATUS CONFERENCE AND ORAP FILED.

06/17/2008 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DEPT. NES , HON. JOSEPH F. DE VANON PRESIDING FOR HEARING RE: EX PARTE APPLICATION FOR AN ORDER TO TAKE JUDGMENT DEBTOR HEARING OFF CALENDAR AND TO CONTINUE STATUS CONFERENCE . APPLICATION DENIED. APPLICATION DENIED AS MOOT. MOVING PARTY TO GIVE NOTICE.

06/06/2008 NOTICE OF COMPLETION OF TRANSCRIPT(S) ON APPEAL FILED AND MAILED TO RESPECTIVE PARTIES/COUNSEL. CUSTOM FORM TITLED: NOTICE OF COMPLETION OF TRANSCRIPT(S) ON APPEAL

05/27/2008 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DEPT. NES , HON. JOSEPH F. DE VANON PRESIDING FOR STATUS CONFERENCE. PLAINTIFF APPEARING EDWARD EZOR . DEFENDANT APPEARING ALEX MOTEMEDI . THE COURT RULES AS FOLLOWS: THE MATTER IS CONTINUED TO JUNE 20, 2008 AT 8:30 AM IN NES. THE COURT ORDERS THE JUDGMENT DEBTOR TO APPEAR FOR A DEBTOR'S EXAMINATION ON THE ABOVE DATE AND TIME. NOTICE WAIVED.

05/27/2008 MATTER SET FOR STATUS CONFERENCE ON 06/20/08 AT 08:30A M, IN DEPT. NES .

05/27/2008 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DEPT. NES , HON. JOSEPH F. DE VANON PRESIDING FOR STATUS CONFERENCE. PLAINTIFF APPEARING EDWARD EZOR . DEFENDANT APPEARING ALEX MOTEMEDI . THE COURT RULES AS FOLLOWS: THE MATTER IS CONTINUED TO JUNE 20, 2008 AT 8:30 AM IN NES. THE COURT ORDERS THE JUDGMENT DEBTOR TO APPEAR FOR A DEBTOR'S EXAMINATION ON THE ABOVE DATE AND TIME. NOTICE WAIVED.

03/11/2008 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DIV. NES , HON. JOSEPH F. DE VANON PRESIDING FOR STATUS CONFERENCE. MATTER CONTINUED TO 05/27/08 AT 08:30A M, IN DIV. NES . NOTICE WAIVED.

03/11/2008 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DIV. NES , HON. JOSEPH F. DE VANON PRESIDING FOR STATUS CONFERENCE. MATTER CONTINUED TO 05/27/08 AT 08:30A M, IN DIV. NES . NOTICE WAIVED.

01/29/2008 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DIV. NES , HON. JOSEPH F. DE VANON PRESIDING FOR STATUS CONFERENCE. MATTER CONTINUED TO 03/11/08 AT 08:30A M, IN DIV. NES . REQUEST FOR CLARIFICATION OF COURT ORDER OF 10/9/07 IS HELD. THE COURT TAKES THE MATTER UNDER SUBMISSION.

01/29/2008 MINUTE ORDER AND CLERK'S NOTICE OF RULING MAILED TO ALL PARTIES. CLERK'S CERTIFICATE OF SERVICE FILED.

01/29/2008 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DIV. NES , HON. JOSEPH F. DE VANON PRESIDING FOR STATUS CONFERENCE. MATTER CONTINUED TO 03/11/08 AT 08:30A M, IN DIV. NES . REQUEST FOR CLARIFICATION OF COURT ORDER OF 10/9/07 IS HELD. THE COURT TAKES THE MATTER UNDER SUBMISSION.

01/22/2008 MATTER SET FOR STATUS CONFERENCE ON 01/29/08 AT 08:30A M, IN DIV. NES . NOTICE IS WAIVED.

11/21/2007 ORDER RE: MOTION TO SET ASIDE DEFAULT SIGNED BY JOSEPH F. DE VANON AND FILED.

11/09/2007 NOTICE OF FILING OF APPEAL FILED AND MAILED TO RESPECTIVE PARTIES/COUNSEL. CLERK'S CERTIFICATE OF SERVICE FILED.

11/08/2007 NOTICE OF APPEAL FILED BY (NICHOLLS, DAVID C.) . RECEIPT # GC68511.3 .

11/08/2007 DESIGNATION OF RECORD ON APPEAL FILED. CLERK'S RECORD .

11/08/2007 DESIGNATION OF RECORD ON APPEAL FILED. REPORTER'S TRANSCRIPT .

10/19/2007 DEMAND FOR JURY TRIAL FILED BY (NICHOLLS, DAVID C.) .

10/12/2007 DEMAND FOR JURY TRIAL FILED BY (NICHOLLS, DAVID C.) .

10/09/2007 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DIV. NES , HON. JOSEPH F. DE VANON PRESIDING FOR HEARING RE: MOTION TO SET ASIDE DEFAULT AND DEFAULT JUDGMENT . MOTION IS GRANTED. DEFAULT AND DEFAULT JUDGMENT ARE SET ASIDE. ANSWER IS DEEMED SERVED AN FILED THIS DATE. DEFENDANT IS TO PAY PLAINTIFF ATTORNEY FEES IN THE AMOUNT OF \$498 WITHIN 30 DAYS. A COURT TRIAL IS SET FOR 1/22/08 AT 8:30 AM IN NES.

10/09/2007 MINUTE ORDER AND CLERK'S NOTICE OF RULING MAILED TO ALL PARTIES. CLERK'S CERTIFICATE OF SERVICE FILED.

10/09/2007 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DIV. NES , HON. JOSEPH F. DE VANON PRESIDING FOR HEARING RE: MOTION TO SET ASIDE DEFAULT AND DEFAULT JUDGMENT . MOTION IS GRANTED. DEFAULT AND DEFAULT JUDGMENT ARE SET ASIDE. ANSWER IS DEEMED SERVED AN FILED THIS DATE. DEFENDANT IS TO PAY PLAINTIFF ATTORNEY FEES IN THE AMOUNT OF \$498 WITHIN 30 DAYS. A COURT TRIAL IS SET FOR 1/22/08 AT 8:30 AM IN NES.

10/04/2007 REPLY TO OPPOSITION TO MOTION TO SET ASIDE DEFAULT JUDGMENT FILED BY (NICHOLLS, DAVID C.) .

09/21/2007 OPPOSITION TO MOTION TO VACATE AND SET ASIDE DEFAULT AND DEFAULT JUDGMENT; POINTS AND AUTHORITIES FILED BY (EZOR, A. EDWARD) .

09/14/2007 WRIT OF EXECUTION ISSUED TO LOS ANGELES COUNTY ON BEHALF OF (EZOR, A. EDWARD) MAILED , RECEIPT NO. 057 .

09/11/2007 NOTICE RE: ERRATA ON DEFENDANT'S MOTION TO SET ASIDE DEFAULT AND DEFAULT JUDGMENT FILED.

09/07/2007 NOTICE OF MOTION TO SET ASIDE DEFAULT JUDGMENT , DECLARATION, AND POINTS AND AUTHORITIES IN SUPPORT THEREOF FILED. RECEIPT # 000 . MATTER SET FOR HEARING ON 10/09/07 AT 08:30A M, IN DIV. NES .

09/07/2007 NOTICE SUBSTITUTION OF ATTORNEY FILED FOR DAVID NICHOLLS FILED.

08/23/2007 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DIV. NES , HON. JOSEPH F. DE VANON PRESIDING FOR HEARING RE: MOTION TO VACATE DEFAULT JUDGMENT . MOTION IS DENIED. COURT FINDS NO DEFAULT JUDGMENT HAS BEEN ENTERED; TODAY IS THE PROVE-UP DATE. .. PARTIES NOTIFIED IN OPEN COURT THIS DATE, ON RECORD. .. PLAINTIFF TO GIVE FORMAL NOTICE OF RULING.

08/23/2007 PLAINTIFF TO GIVE FORMAL NOTICE.

08/23/2007 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DIV. NES , HON. JOSEPH F. DE VANON PRESIDING FOR COURT TRIAL. PLAINTIFF(S) APPEARING DENNIS GREENE, ESQ . DEFENDANT(S) APPEARING IN PERSON (DEFAULTED) .

08/23/2007 PREVAILING PARTY TO PREPARE JUDGMENT .

08/23/2007 JUDGMENT SIGNED AND FILED FOR TOTAL OF \$9778.11 .

08/23/2007 JUDGMENT ENTERED AS A FINAL DISPOSITION ON 08/23/07 . FOR (EZOR, A. EDWARD) . AGAINST (NICHOLLS, DAVID C.) . PRINCIPAL \$ 6804.24 . ATTORNEY FEES \$ 498.24 . INTEREST \$ 2181.08 . COSTS \$ 294.55 . TOTAL \$ 9,778.11 .

08/23/2007 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DIV. NES , HON. JOSEPH F. DE VANON PRESIDING FOR HEARING RE: MOTION TO VACATE DEFAULT JUDGMENT . MOTION IS DENIED. COURT FINDS NO DEFAULT

JUDGMENT HAS BEEN ENTERED; TODAY IS THE PROVE-UP DATE. ... PARTIES NOTIFIED IN OPEN COURT THIS DATE, ON RECORD. ... PLAINTIFF TO GIVE FORMAL NOTICE OF RULING.

08/23/2007 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DIV. NES , HON. JOSEPH F. DE VANON PRESIDING FOR COURT TRIAL. PLAINTIFF(S) APPEARING DENNIS GREENE, ESQ . DEFENDANT(S) APPEARING IN PERSON (DEFAULTED) .

08/23/2007 Updated -- Judgment entered on 08/23/2007

08/21/2007 REPLY TO OPPOSITION TO MOTION TO VACATE DEFAULT FILED BY (NICHOLLS, DAVID C.) .

08/10/2007 MEMORANDUM OF POINTS AND AUTHORITES IN SUPPORT OF OPPOSITION TO MOTION VACATE DEFAULT JUDGMENT FILED BY (EZOR, A. EDWARD) .

08/02/2007 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DIV. NES , HON. JOSEPH F. DE VANON PRESIDING FOR HEARING ON OSC WHY SANCTIONS OR A DISMISSAL OF THE ENTIRE ACTION SHOULD NOT BE IMPOSED. MATTER CONTINUED TO 08/23/07 AT 08:30A M, IN DIV. NES . NOTICE WAIVED.

08/02/2007 NOTICE OF MOTION TO VACATE DEFAULT JUDGMENT , DECLARATION, AND POINTS AND AUTHORITIES IN SUPPORT THEREOF FILED. RECEIPT # 000 . MATTER SET FOR HEARING ON 08/23/07 AT 08:30A M, IN DIV. NES .

08/02/2007 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DIV. NES , HON. JOSEPH F. DE VANON PRESIDING FOR HEARING ON OSC WHY SANCTIONS OR A DISMISSAL OF THE ENTIRE ACTION SHOULD NOT BE IMPOSED. MATTER CONTINUED TO 08/23/07 AT 08:30A M, IN DIV. NES . NOTICE WAIVED.

07/23/2007 NOTICE RE: DEFAULT PROVE-UP FOR DEFAULT JUDGMENT AGAINST DEFENDANT FILED.

07/19/2007 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DIV. NES , HON. JOSEPH F. DE VANON PRESIDING FOR HEARING RE: MOTION TO VACATE DEFAULT JUDGMENT AND REQUEST SANCTION AT THE REQUEST OF MOVING PARTY, THE MOTION IS WITHDRAWN.

07/19/2007 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DIV. NES , HON. JOSEPH F. DE VANON PRESIDING FOR HEARING RE: MOTION TO VACATE DEFAULT JUDGMENT AND REQUEST SANCTION AT THE REQUEST OF MOVING PARTY, THE MOTION IS WITHDRAWN.

06/28/2007 EX PARTE APPLICATION RE: TO VACATE AND SET ASIDE DEFAULT JUDGEMENT FILED. FILE SENT TO DIV. NES . RECEIPT # GC68511.3

06/28/2007 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DIV. NES , HON. JOSEPH F. DE VANON PRESIDING FOR HEARING RE: EX-PARTE APPL OF DEFT (DAVID NICHOLLS) TO VACATE DEFAULT AND DEFAULT JUDGMENT . THE COURT RULES AS FOLLOWS: MATTER IS CALLED OFF THE RECORD, CONSIDERED PRELIMINARILY AND WITHDRAWN BY APPLICANT. ...

06/28/2007 MINUTE ORDER - CAUSE CALLED AT 08:30A M, IN DIV. NES , HON. JOSEPH F. DE VANON PRESIDING FOR HEARING RE: EX-PARTE APPL OF DEFT (DAVID NICHOLLS) TO VACATE DEFAULT AND DEFAULT JUDGMENT . THE COURT RULES AS FOLLOWS: MATTER IS CALLED OFF THE RECORD, CONSIDERED PRELIMINARILY AND WITHDRAWN BY APPLICANT. ...

06/26/2007 APPLICATION(S) FOR WAIVER OF COURT FEES AND COSTS FILED BY (NICHOLLS, DAVID C.) IS GRANTED. APPLICANT(S) MAY PROCEED IN THIS ACTION WITHOUT PAYMENT OF ANY COURT FEES OR COSTS LISTED IN RULE 985(I), CALIFORNIA RULES OF COURT.

06/26/2007 ANSWER FILED OF (NICHOLLS, DAVID C.) IN PRO PER ON DEMAND. RECEIPT # GC68511.3 .

06/21/2007 APPLICATION(S) FOR WAIVER OF COURT FEES AND COSTS FILED BY (NICHOLLS, DAVID C.) IS DENIED. APPLICANT(S) MUST PAY ANY FEES AND COSTS DUE IN THIS ACTION WITHIN TEN DAYS FROM THE DATE OF SERVICE OF THIS ORDER.

06/14/2007 APPLICATION FOR WAIVER OF COURT FEES AND COSTS FILED BY (NICHOLLS, DAVID C.) .

06/14/2007 PROPOSED ON DEMAND ANSWER RECEIVED AND FILED BY (NICHOLLS, DAVID C.) .

Case 19-29131 Doc 11 Filed 01/17/20 Entered 01/17/20 15:49:46 Desc Main Document Page 16 of 78

06/14/2007 CASE FILE FORWARDED TO DIVISION NEA FOR CONSIDERATION RE: FEE WAIVER .

06/12/2007 PROOF OF SERVICE OF SUMMONS AND COMPLAINT; NOTICE OF CASE MANAGEMENT CONFERENCE FILED. SERVED AS TO (NICHOLLS, DAVID C.) . COSTS OF \$ 85.00

06/12/2007 REQUEST FILED AND DEFAULT ENTERED OF (NICHOLLS, DAVID C.) . DECLARATION UNDER 585.5 CCP, DECLARATION PURSUANT TO 587 CCP, MEMO OF COSTS, AND DECLARATION OF NON-MILITARY STATUS FILED.

05/02/2007 SUMMONS FILED .

05/02/2007 CASE MANAGEMENT CONFERENCE SET FOR 09/27/07 AT 08:30A M, IN DIV/DEPT. NES . CLERK'S CERTIFICATE OF SERVICE MAILED/GIVEN TO RESPECTIVE PARTIES/COUNSEL ON 04/02/07

04/02/2007 COMPLAINT FILED. RN 014. Filing Fee: 180.00

04/02/2007 SUMMONS ISSUED.

Exhibit B

A. Edward Ezor v. David Nicholls (3rd Dist. –
West Jordan - Case No. 096400131)

3RD DIST. COURT - WEST JORDAN
SALT LAKE COUNTY, STATE OF UTAH

A EDWARD EZOR vs. DAVID C NICHOLLS

CASE NUMBER 096400131 Foreign Judgment

CURRENT ASSIGNED JUDGE

L DOUGLAS HOGAN

PARTIES

Plaintiff - A EDWARD EZOR

Represented by: RICHARD FRANDSEN

Defendant - DAVID C NICHOLLS

ACCOUNT SUMMARY

Total Revenue Amount Due:	42.00
Amount Paid:	42.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: FOREIGN DEPOSITION

Original Amount Due:	35.00
Amended Amount Due:	35.00
Amount Paid:	35.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: CERTIFIED COPIES

Original Amount Due:	3.00
Amended Amount Due:	3.00
Amount Paid:	3.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: CERTIFICATION

Original Amount Due:	4.00
Amended Amount Due:	4.00
Amount Paid:	4.00
Amount Credit:	0.00
Balance:	0.00

CASE NOTE

CASE NUMBER: 096400131 Foreign Judgment

PROCEEDINGS

08-31-2009 Filed: Foreign Judgment @J
11-24-2009 Filed: Affidavit
11-25-2009 Case filed by dwank
11-25-2009 Judge MARK KOURIS assigned.
11-25-2009 Filed: Foreign Deposition
11-25-2009 Fee Account created Total Due: 35.00
11-25-2009 Fee Account created
11-25-2009 FOREIGN DEPOSITION 35.00
Note: Code Description: FOREIGN DEPOSITION
11-25-2009 Case Disposition is Judgment
Disposition Judge is L DOUGLAS HOGAN
11-25-2009 Case disposition is No cause of action
Disposition Judge is L DOUGLAS HOGAN
01-05-2010 Issued: Supplemental Order
Clerk BARBARA D SORRELL
Hearing Date January 29, 2010 09:30 AM
03-09-2010 Judgment # 1 Entered 9,778.11 lindan
Creditor : A EDWARD EZOR
Debtor : DAVID C NICHOLLS
9,778.11 Total Judgment
9,778.11 Judgment Grand Total
09-17-2010 Issued: Abstract of Judgment
Clerk MARINDA DAVIES
09-17-2010 Issued: Abstract of Judgment
Clerk MARINDA DAVIES
11-01-2010 Issued: Abstract of Judgment
Judge MARK KOURIS
02-13-2015 Judge L DOUGLAS HOGAN assigned.
09-27-2017 Filed: Request to Submit for Decision
09-29-2017 Filed: Motion to Set Aside Judgment
09-29-2017 Note: Holding Order for objection time to pass
10-06-2017 Note: Order sent to judge for review
10-10-2017 Filed order: Order on Motion to Set Aside Judgment
Judge L DOUGLAS HOGAN
Signed October 10, 2017
10-10-2017 Case Disposition is Set aside/Withdrawn
Disposition Judge is L DOUGLAS HOGAN
11-29-2017 Fee Account created Total Due: 3.00
11-29-2017 Fee Account created
11-29-2017 Fee Account created Total Due: 4.00
11-29-2017 Fee Account created
11-29-2017 CERTIFIED COPIES 3.00
Note: Mail Payment;

CASE NUMBER: 096400131 Foreign Judgment

11-29-2017 CERTIFICATION 4.00
Note: Mail Payment;

Exhibit C

David Doyle d/b/a Quarrrystone Financial
Services v. David Nicholls (3rd Dist.
Summit County – Case No. 196500636)

3RD DISTRICT CT- SILVER SUMMIT
SUMMIT COUNTY, STATE OF UTAH

DAVID DOYLE vs. DAVID C NICHOLLS

CASE NUMBER 196500636 Foreign Judgment

CURRENT ASSIGNED JUDGE
RICHARD MRAZIK

PARTIES

Plaintiff - DAVID DOYLE
Represented by: MARK SWAN

Defendant - DAVID C NICHOLLS

Doing Business As - QUARRYSTONE FINANCIAL SERVICES(DAVID DOYLE)

ACCOUNT SUMMARY

Total Revenue Amount Due:	291.00
Amount Paid:	291.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: FOREIGN JUDGMENT

Original Amount Due:	35.00
Amended Amount Due:	35.00
Amount Paid:	35.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: CERTIFIED COPIES

Original Amount Due:	2.00
Amended Amount Due:	2.00
Amount Paid:	2.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: CERTIFICATION

Original Amount Due:	4.00
Amended Amount Due:	4.00
Amount Paid:	4.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: GARNISHMENT

Original Amount Due:	50.00
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CASE NUMBER: 196500636 Foreign Judgment

Amended Amount Due:	50.00
Amount Paid:	50.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: GARNISHMENT

Original Amount Due:	50.00
Amended Amount Due:	50.00
Amount Paid:	50.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: WRIT OF EXECUTION

Original Amount Due:	50.00
Amended Amount Due:	50.00
Amount Paid:	50.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: WRIT OF EXECUTION

Original Amount Due:	50.00
Amended Amount Due:	50.00
Amount Paid:	50.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: GARNISHMENT

Original Amount Due:	50.00
Amended Amount Due:	50.00
Amount Paid:	50.00
Amount Credit:	0.00
Balance:	0.00

CASE NOTE

PROCEEDINGS

06-21-2019	Judgment # 1 Entered 19,495.14	bridgetb
	Creditor : DAVID DOYLE	
	Debtor : DAVID C NICHOLLS	
	19,495.14 Total Judgment	
	19,495.14 Judgment Grand Total	

06-21-2019 Case filed by bridgetb

CASE NUMBER: 196500636 Foreign Judgment

06-21-2019 Judge KENT HOLMBERG assigned.
06-21-2019 Filed judgment: Foreign Judgment
06-21-2019 Filed: Exemplified Copy of Judgment
06-21-2019 Filed: Clerk's Declaration Re: Search and Order to Deem Copy as Original
06-21-2019 Filed: Acknowledgement of Assignment of Judgment
06-21-2019 Filed: Notice of Renewal of Judgment
06-21-2019 Filed: Application for and Renewal of Judgment
06-21-2019 Filed: Affidavit
06-21-2019 Filed: Notice of Judgment
06-21-2019 Filed judgment: Foreign Judgment - Amt in Cont \$19495.14
06-21-2019 Fee Account created Total Due: 35.00
06-21-2019 Fee Account created
06-21-2019 FOREIGN JUDGMENT 35.00
Note: Code Description: FOREIGN JUDGMENT
06-21-2019 Case disposition is Judgment
Disposition Judge is KENT HOLMBERG
06-26-2019 Fee Account created Total Due: 2.00
06-26-2019 Fee Account created
06-26-2019 Fee Account created Total Due: 4.00
06-26-2019 Fee Account created
06-26-2019 CERTIFIED COPIES 2.00
06-26-2019 CERTIFICATION 4.00
07-02-2019 Filed: Return to Sender: Notice of Judgment mailed to David Nicholls
07-03-2019 Filed: Return to Sender: Notice of Judgment mailed to David Nicholls
08-12-2019 Filed: Appearance of Counsel/Notice of Limited Appearance
08-12-2019 Filed: Return of Electronic Notification
08-12-2019 Filed: Amended Notice of Appearance of Counsel
08-12-2019 Filed: Return of Electronic Notification
08-12-2019 Filed: Amended Notice of Appearance
08-12-2019 Filed: Return of Electronic Notification
08-12-2019 Filed: Abstract of Judgment - To Issue (Proposed)
08-12-2019 Filed: Return of Electronic Notification
08-12-2019 Filed: Other - Not Signed Abstract of Judgment - To Issue (Proposed)
08-12-2019 Note: Does not match the judgment amount on file with the court.
08-12-2019 Filed: Return of Electronic Notification
08-12-2019 Filed: Abstract of Judgment - To Issue (Proposed)
08-12-2019 Filed: Return of Electronic Notification
08-12-2019 Filed: Abstract of Judgment - To Issue (Proposed)
08-12-2019 Filed: Return of Electronic Notification
08-12-2019 Issued: Abstract of Judgment Issued
Clerk RHONDA MEEKS

CASE NUMBER: 196500636 Foreign Judgment

08-12-2019 Filed: Return of Electronic Notification
08-12-2019 Filed: Other - Not Signed Abstract of Judgment - To Issue
(Proposed)
08-12-2019 Note: Does not match judgment amount filed with the Court.
08-12-2019 Filed: Return of Electronic Notification
08-12-2019 Filed: Application for Writ of Garnishment
08-12-2019 Filed: Writ of Garnishment - Non Wage (Proposed)
08-12-2019 Issued: Writ of Garnishment - Non Wage
Clerk BRIDGETTE BLONQUIST
08-12-2019 Fee Account created Total Due: 50.00
08-12-2019 Fee Account created
08-12-2019 GARNISHMENT 50.00
08-12-2019 Filed: Return of Electronic Notification
08-12-2019 Filed: Application for Writ of Garnishment
08-12-2019 Filed: Writ of Garnishment - Non Wage (Proposed)
08-12-2019 Filed: Application for Writ of Execution
08-12-2019 Filed: Writ of Execution (Proposed)
08-14-2019 Filed return: Return of Service - Garnishment U.S. Bank, U.S.
Bank, National Association
Party Served: DANI SNOW
Service Type: Personal
Service Date: August 13, 2019
Garnishee: U.S. Bank, National Association
08-14-2019 Filed: Return of Electronic Notification
08-14-2019 Filed: Application for Writ of Execution.real property
08-14-2019 Filed: Writ of Execution (Proposed)
08-19-2019 Issued: Writ of Garnishment - Non Wage
Judge KENT HOLMBERG
08-19-2019 Fee Account created Total Due: 50.00
08-19-2019 Fee Account created
08-19-2019 GARNISHMENT 50.00
08-19-2019 Filed: Return of Electronic Notification
08-19-2019 Issued: Writ of Execution
Judge KENT HOLMBERG
08-19-2019 Fee Account created Total Due: 50.00
08-19-2019 Fee Account created
08-19-2019 WRIT OF EXECUTION 50.00
08-19-2019 Filed: Return of Electronic Notification
08-20-2019 Issued: Writ of Execution
Judge KENT HOLMBERG
08-20-2019 Fee Account created Total Due: 50.00
08-20-2019 Fee Account created
08-20-2019 WRIT OF EXECUTION 50.00
08-20-2019 Filed: Return of Electronic Notification
08-22-2019 Filed: Notice of Subpoena
08-22-2019 Filed: Return of Electronic Notification

CASE NUMBER: 196500636 Foreign Judgment

08-22-2019 Filed: Application for Writ of Garnishment Zions Bank
08-22-2019 Filed: Writ of Garnishment - Non Wage (Proposed) Zions Bank
08-22-2019 Issued: Writ of Garnishment - Non Wage Zions Bank
Clerk BRIDGETTE BLONQUIST
08-22-2019 Fee Account created Total Due: 50.00
08-22-2019 Fee Account created
08-22-2019 GARNISHMENT 50.00
08-22-2019 Filed: Return of Electronic Notification
08-27-2019 Filed return: Return of Service - Garnishment on Zions Bank,
Zions First National Bank
Party Served: CORPORATION SERVICE COMPANY
Service Type: Personal
Service Date: August 23, 2019
Garnishee: Zions First National Bank
08-27-2019 Filed: Return of Electronic Notification
09-06-2019 Filed: Reply and Request For Hearing
09-09-2019 NOTICE for Case 196500636 ID 20314997
Judge: KENT HOLMBERG
GARNISHMENT HEARING is scheduled.
Date: 09/19/2019
Time: 08:30 a.m.
Location: Courtroom B
6300 JUSTICE CENTER ROAD
PARK CITY, UT 84098
Before Judge: KENT HOLMBERG
09-09-2019 GARNISHMENT HEARING scheduled on September 19, 2019 at 08:30 AM
in Courtroom B with Judge KENT HOLMBERG
09-09-2019 Filed: Notice for Case 196500636 FJ: Judge KENT HOLMBERG
09-09-2019 Filed: Release of Garnishment on Zions Bank
09-09-2019 Filed: Return of Electronic Notification
09-09-2019 GARNISHMENT HEARING Cancelled
Reason: Correct calendar
09-09-2019 Note: Hearing cancelled due to Release of Garnishment being
filed.
09-12-2019 Filed return: Return Writ of Execution
Party Served: NICHOLLS, DAVID C
Service Type:
Service Date: September 12, 2019
Garnishee:
09-12-2019 Filed return: Return Writ of Execution
Party Served: NICHOLLS, DAVID C
Service Type: Mail
Service Date: September 12, 2019
Garnishee:
09-13-2019 Filed: Motion to Set Aside Judgment/Exhibits
Filed by: DAVID C NICHOLLS

CASE NUMBER: 196500636 Foreign Judgment

09-13-2019 Filed: (Proposed) Order on Motion to Set Aside Judgment
09-13-2019 Filed: Reply and Request for Hearing - Writ of Execution
09-13-2019 Filed: Notice of Unavailability for Hearing
09-16-2019 TELEPHONIC SCHED. CONF. scheduled on September 23, 2019 at
03:00 PM in Courtroom A with Judge KENT HOLMBERG
09-16-2019 NOTICE for Case 196500636 ID 20331104
Judge: KENT HOLMBERG
TELEPHONIC SCHED. CONF. is scheduled.
Date: 09/23/2019
Time: 03:00 p.m.
Location: Courtroom A
6300 JUSTICE CENTER ROAD
PARK CITY, UT 84098
Before Judge: KENT HOLMBERG
IMPORTANT NOTICE: Counsel and/or parties are responsible
for calling in at the number identified below and waiting
for the conference call to start. The court will NOT call
you. If you do not call in on time, the court may proceed
in your absence.
You will be placed on hold until the court joins the call.
We will make every effort to begin the call on time, but if
other matters before the court delay the start of the call,
please wait on the line.
If you call in and another matter is being heard, please
wait until that matter concludes before making an
appearance. If you experience issues or problems calling
in, please feel free to contact a judicial assistant at
435-615-4300.
CONFERENCE CALL NUMBER: (877) 820-7831 PASSCODE: 644472
09-16-2019 Filed: Notice for Case 196500636 FJ: Judge KENT HOLMBERG
09-23-2019 TELEPHONE HRG MOT TO SET ASIDE scheduled on October 23, 2019 at
11:00 AM in Courtroom B with Judge KENT HOLMBERG
09-23-2019 Minute Entry - TELEPHONIC SCHEDULING CONFERENCE
Judge: KENT HOLMBERG
Clerk: bridgetb
PRESENT
Defendant(s): DAVID C NICHOLLS
Plaintiff's Attorney(s): MARK SWAN
Audio
Tape Number: crt A Tape Count: 3:02/3:26
HEARING

CASE NUMBER: 196500636 Foreign Judgment

This matter comes before the Court for a telephonic scheduling conference.

Parties and counsel appearing as listed above.

Plaintiff has until October 7, 2019 to file his opposition to the Motion to Set Aside Judgment. Reply due by October 15, 2019. Parties stipulate to service by email.

Telephonic oral argument on Defendant's Motion to Set Aside the Judgment is scheduled for October 23, 2019 @ 11:00 a.m.

If issues of fact arise after full briefing and oral argument then the Court can schedule and evidentiary hearing on the issues of fact.

Mr. Nicholls to file a Request to Submit when briefing is complete on his Motion to Set Aside Judgment.

TELEPHONE HRG MOT TO SET ASIDE is scheduled.

Date: 10/23/2019

Time: 11:00 a.m.

Location: Courtroom B

6300 JUSTICE CENTER ROAD

PARK CITY, UT 84098

Before Judge: KENT HOLMBERG

IMPORTANT NOTICE: Counsel and/or parties are responsible for calling in at the number identified below and waiting for the conference call to start. The court will NOT call you. If you do not call in on time, the court may proceed in your absence.

You will be placed on hold until the court joins the call. We will make every effort to begin the call on time, but if other matters before the court delay the start of the call, please wait on the line.

If you call in and another matter is being heard, please wait until that matter concludes before making an appearance. If you experience issues or problems calling in, please feel free to contact a judicial assistant at 435-615-4300.

CONFERENCE CALL NUMBER: (877) 820-7831 PASSCODE: 644472

10-07-2019 Filed: Motion Plaintiffs Ex Parte Motion for Enlargement of Time to respond to Defendants Motion to Set Aside Judgment
Filed by: DAVID DOYLE

10-07-2019 Filed: Ex Parte Order (Proposed)

10-07-2019 Filed: Request/Notice to Submit Plaintiffs Ex Parte Motion for Enlargement of time to respond to Defendants Motion to Set

CASE NUMBER: 196500636 Foreign Judgment

Aside Judgment

10-07-2019 Filed: Return of Electronic Notification

10-07-2019 Note: Do not submit Pltfs Ex Parte Order to Judge. Def will be filing a response.

10-11-2019 Filed: Memorandum Opposing Plaintiff's Ex Parte Motion for Enlargement of Time to File Response to Defendant's Motion to Set Aside Judgment

10-11-2019 Filed: Request to Submit for Decision

10-15-2019 Filed: Motion Plaintiffs Second Motion for Enlargement of Time to File Response to Defendants Motion to Set Aside Judgment
Filed by: DAVID DOYLE

10-15-2019 Filed: Reply Plaintiffs Reply to Defendants Memorandum Opposing Plaintiffs Ex Parte Motion for Enlargement of Time to File Response to Defendants Motion to Set Aside Judgment

10-15-2019 Filed: Return of Electronic Notification

10-15-2019 Filed: Plaintiffs Response to Defendants Motion to Set Aside Judgment

10-15-2019 Filed: Return of Electronic Notification

10-15-2019 Filed: Affidavit/Declaration of David Doyle and Exhibits A-H

10-15-2019 Filed: Exhibits I-J to Declaration of David Doyle

10-15-2019 Filed: Exhibits K-Q to Declaration of David Doyle

10-15-2019 Filed: Return of Electronic Notification

10-16-2019 Note: Defendant will be replying to the motion to enlarge time.

10-16-2019 Filed: Affidavit/Declaration Amended Declaration of David Doyle (without exhibits attached)

10-16-2019 Filed: Affidavit/Declaration of A. Edward Ezor

10-16-2019 Filed: Return of Electronic Notification

10-16-2019 Filed order: Ex Parte Order
Judge KENT HOLMBERG
Signed October 16, 2019

10-17-2019 Filed: Defendant's Ex Parte Motion for Enlargement of Time to File Response to Plaintiff's Untimely Reply to Defendant's Motion to Set Aside Judgment
Filed by: DAVID C NICHOLLS

10-17-2019 Filed: Memorandum Opposing Plaintiff's Second Ex Parte Motion for Enlargement of Time to File Response to Defendant's Motion to Set Aide Judgment

10-17-2019 Filed: Request to Submit for Decision

10-21-2019 Filed: Opposition to Defendants Reply and Request for Hearing - Writ of Execution

10-21-2019 Filed: Return of Electronic Notification

10-22-2019 Filed: Defendant's Reply Opposing Plaintiff's Response to Defendant's Motion to Set Aside Judgment

10-22-2019 Filed: Defendant's Reply to Plaintiff's Response to Defendant's Reply and Request for Hearing-Writ of Execution

10-23-2019 Filed: Defendant's Supplemental Reply Opposing Plaintiff's

CASE NUMBER: 196500636 Foreign Judgment

Response to Defendant's Motion to Set Aside Judgment

10-23-2019 Filed: Defendants Reply to Plaintiff's Response to Defendant's Reply and Request for Hearing Writ of Execution

10-23-2019 Filed: Defendants Notice to Update and Change Address

10-23-2019 Filed: Defendants Notice and Motion to Request Stay of Proposed Sheriffs Lien Sale on Defendant's Homestead, Permanent Residence and Property No Sooner Than 20 Days After Courts Ruling on Defendants Motion to Vacate and Set Aside Defendants Motion

10-23-2019 MOTION TO STAY scheduled on October 31, 2019 at 11:00 AM in Courtroom B with Judge KENT HOLMBERG

10-23-2019 Minute Entry - MOTION TO SET ASIDE JUDGMENT

Judge: KENT HOLMBERG

Clerk: bridgetb

PRESENT

Defendant(s): DAVID C NICHOLLS

Plaintiff's Attorney(s): MARK SWAN

Audio

Tape Number: crt B Tape Count: 11:01/12:59

HEARING

This matter comes before the Court for oral argument on Defendant's Motion to Set Aside Judgment.

Parties and counsel appearing as listed above.

11:02 Defendant argues Motion to Set Aside Judgment (Nicholls). 11:31 Plaintiff's rebuttal (Swan). 12:11 Defendant's reply.

12:39 The Court rules as stated on the record. Defendant's Motion to Set Aside the Judgment is DENIED. Given what defendant presented the evidence does not rise to the level of fraud. Defendant's Request for Stay is RESERVED pending further briefing.

Hearing on the Motion to Stay is scheduled for October 31, 2019 @ 11:00 a.m.

MOTION TO STAY is scheduled.

Date: 10/31/2019

Time: 11:00 a.m.

Location: Courtroom B

6300 JUSTICE CENTER ROAD

PARK CITY, UT 84098

Before Judge: KENT HOLMBERG

10-24-2019 NOTICE for Case 196500636 ID 20433664

Judge: KENT HOLMBERG

CASE NUMBER: 196500636 Foreign Judgment

MOTION TO STAY.

Date: 10/31/2019

Time: 11:30 a.m.

Location: Courtroom B

6300 JUSTICE CENTER ROAD

PARK CITY, UT 84098

Before Judge: KENT HOLMBERG

The reason for the change is Request of counsel

10-24-2019 Filed: Notice for Case 196500636 FJ: Judge KENT HOLMBERG
10-24-2019 MOTION TO STAY rescheduled on October 31, 2019 at 11:00 AM
Reason: null
10-24-2019 Filed: Order (Proposed) Order Denying Defendant David C. Nicholls Motion to Dismiss
10-24-2019 Filed: Request/Notice to Submit
10-24-2019 Filed: Return of Electronic Notification
10-24-2019 Filed: Other - Not Signed Order (Proposed) Order Denying Defendant David C. Nicholls Motion to Dismiss
10-24-2019 Note: Order listed in the Docket Text is not the Order filed. Counsel has filed a Judgment instead for a Salt Lake Case and Judge.
10-24-2019 Filed: Return of Electronic Notification
10-25-2019 Filed: Order (Proposed) Order Denying Defendant David C. Nicholls Motion to Set Aside Judgment
10-25-2019 Filed: Request/Notice to Submit
10-25-2019 Filed: Return of Electronic Notification
10-25-2019 Filed order: Order Denying Defendant David C. Nicholls Motion to Set Aside Judgment
Judge KENT HOLMBERG
Signed October 25, 2019
10-25-2019 Filed: Return of Electronic Notification
10-30-2019 MOTION TO STAY Cancelled
Reason: Request of counsel
10-30-2019 Filed: Stipulation for Stay of Execution Sale
10-30-2019 Filed: Return of Electronic Notification
10-31-2019 Filed: Amended Stipulation for Stay of Execution Sale
10-31-2019 Filed: Return of Electronic Notification
01-06-2020 Judge RICHARD MRAZIK assigned.
01-07-2020 Filed: Real Estate Cancelled Execution Return
01-07-2020 Filed: Return of Electronic Notification

Exhibit D

David Nicholls v. Hermosa Beach Police Dept.
(LASC – Case No. YC054109)

CASE INFORMATION

[Case Information](#) | [Register Of Actions](#) | [FUTURE HEARINGS](#) | [PARTY INFORMATION](#) | [Documents Filed](#) | [Proceedings Held](#)

Case Number: YC054109

DAVID NICHOLLS VS HERMOSA BEACH POLICE DEPARTMENT ET. AL

Filing Courthouse: Governor George Deukmejian Courthouse

Filing Date: 10/30/2006

Case Type: Civil Rights/Discrimination (General Jurisdiction)

Status: Dismissed - Other 05/13/2008

FUTURE HEARINGS

[Case Information](#) | [Register Of Actions](#) | [FUTURE HEARINGS](#) | [PARTY INFORMATION](#) | [Documents Filed](#) | [Proceedings Held](#)

None

PARTY INFORMATION

[Case Information](#) | [Register Of Actions](#) | [FUTURE HEARINGS](#) | [PARTY INFORMATION](#) | [Documents Filed](#) | [Proceedings Held](#)

HERMOSA BEACH CITY OF - Defendant

HERMOSA BEACH CITY OF - Defendant

HERMOSA BEACH POLICE DEPARTMENT - Defendant

HERMOSA BEACH POLICE DEPARTMENT - Defendant

LYNBERG & WATKINS - Attorney for Defendant

LYNBERG & WATKINS - Attorney for Defendant

NICHOLLS DAVID - Plaintiff

NICHOLLS DAVID - Plaintiff in Pro Per

RIOS RALPH R. ESQ. - Former Attorney for Plaintiff

RIOS RALPH R. ESQ. - Attorney for Plaintiff

SILVERMAN B. SCOTT - Mediator

SILVERMAN B. SCOTT - Mediator

TILLIPMAN JAMES M. - Attorney for Plaintiff

TILLIPMAN JAMES M. - Former Attorney for Plaintiff

DOCUMENTS FILED

[Case Information](#) | [Register Of Actions](#) | [FUTURE HEARINGS](#) | [PARTY INFORMATION](#) | [Documents Filed](#) | [Proceedings Held](#)

Documents Filed (Filing dates listed in descending order)

Click on any of the below link(s) to see Register of Action Items on or before the date indicated:

05/16/2008 12/21/2007 03/21/2007

10/19/2012 Order

Filed by Defendant

10/19/2012 Order (ORDER AWARDING COSTS ON APPEAL TO DEFENDANT SIGNED AND FILED.)

Filed by Attorney for Defendant

10/02/2012 Notice

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

10/02/2012 Notice (OF ERRATA)

Filed by Attorney for Defendant

09/10/2012 Order

09/10/2012 Order (ORDER AWARDING COSTS ON APPEAL TO DEFENDANTS SIGNED AND FILED.)

Filed by Attorney for Plaintiff

07/14/2011 Order

Filed by Defendant

07/14/2011 Order (AWARDING COSTS ON APPEAL TO DEFT RECEIVED AND SUBMITTED)

Filed by Attorney for Defendant

04/25/2011 Memorandum of Costs

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

04/25/2011 Memorandum of Costs

Filed by Attorney for Defendant

01/10/2011 Unknown Document Type

Filed by Court

01/10/2011 Remittitur filed

Filed by Court

02/23/2010 Notice

Filed by Clerk

02/23/2010 Notice (NOTICE TO PARTIES RE FEE FOR CLERK'S TRANSCRIPT ON APPEAL)

Filed by Clerk

12/15/2009 Notice

Filed by DAVID NICHOLLS (Plaintiff)

12/15/2009 Notice (NOTICE TO SUPERIOR COURT TO INCLUDE OMITTED DESIGNATED MATERIAL IN RECORD ON APPEAL-DOC. SENT TO CIVIL APPEALS-111 NO.HILL ST., L.A. BY COUNTY MESSENGER ON 12/15/09)

Filed by Plaintiff in Pro Per

07/20/2009 Notice

Filed by Clerk

07/20/2009 Notice

Filed by Clerk

04/07/2009 Notice

Filed by Clerk

04/07/2009 Notice (NOTICE TO REPORTERS TO PREPARE TRANSCRIPT ON APPEAL)

Filed by Clerk

03/05/2009 Notice

Filed by DAVID NICHOLLS (Plaintiff)

03/05/2009 Notice (DESIGNATING RECORD ON APPEAL. CLERKS AND REPORTERS TRANSCRIPT)

Filed by Plaintiff in Pro Per

11/21/2008 Order

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

11/21/2008 Order (COSTS IN THE SUM OF \$2,057.00 APPROVED BY THE COURT.)

Filed by Attorney for Defendant

10/27/2008 Miscellaneous-Other

Filed by Clerk

10/27/2008 Miscellaneous-Other (NOTICE TO BOOKKEEPER 10-27-08 DEPOSITED 4-18-08,SBB461346012)

Filed by Clerk

09/24/2008 Proof of Service (not Summons and Complaint)

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

09/24/2008 Proof of Service (SERVED BY MAIL TO DAVID NICHOLLS ON 09-23-08)

Filed by Attorney for Defendant

06/23/2008 Notice

Filed by Clerk

06/23/2008 Notice of Ruling

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

06/23/2008 Notice (NOTICE TO ATTORNEY IN RE ABANDONMENT OF APPEAL)

Filed by Clerk

06/23/2008 Notice of Ruling (RE PLFT.S MOTION TO RECONSIDER AND SET ASIDE ORDER OF DISMISSAL AND TO RECONSIDER PFLT.S MTN. TO CONTINUE TRIAL DATE AND REOPEN DISCOVERY. (DENIED))

Filed by Attorney for Defendant

06/19/2008 Opposition

Filed by DAVID NICHOLLS (Plaintiff)

06/19/2008 Opposition

Filed by DAVID NICHOLLS (Plaintiff)

06/19/2008 Opposition

Filed by DAVID NICHOLLS (Plaintiff)

06/19/2008 Opposition (VOL 3)

Filed by Plaintiff, & Plaintiff in Pro Per

06/19/2008 Opposition (VOL 2)

Filed by Plaintiff, & Plaintiff in Pro Per

06/19/2008 Opposition (VOL. 1)

Filed by Plaintiff, & Plaintiff in Pro Per

06/13/2008 Memorandum of Costs

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

06/13/2008 Memorandum of Costs (Cost after voluntary dismissal in the amount of \$94,381. Claimed by: Defendants)

Filed by Attorney for Defendant

06/09/2008 Opposition

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

06/09/2008 Opposition (TO PLFT.S MOTION TO RECONSIDER AND SET ASIDE ORDER OF DISMISSAL AS A TERMINATION SANCTION AND TO ISSUE MONETARY SANCTIONS....)

Filed by Attorney for Defendant

06/06/2008 Notice of Entry of Judgment

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

06/06/2008 Notice of Entry of Judgment (of dismissal)

Filed by Attorney for Defendant

05/30/2008 Judgment

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

05/30/2008 Judgment (JUDGMENT OF DISMISSAL)

Filed by Attorney for Defendant

Click on any of the below link(s) to see Register of Action Items on or before the date indicated:

[TOP](#) [05/16/2008](#) [12/21/2007](#) [03/21/2007](#)

05/16/2008 Notice of Ruling

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

05/16/2008 Notice of Ruling

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

05/16/2008 Notice of Ruling (RE HERMOSA BEACH RE HERMOSA BEACH DEFT.S EX PARTE APPL. FOR AN ORDER DISM. THIS ACTION AS A SANCTION FOR PLFT. VIOLATIONS OF THIS COURT DISCOVERY ORDERS)

Filed by Attorney for Defendant

05/16/2008 Notice of Ruling (RE PLFT.S EX PARTE APPLICATION TO CONTINUE TRIAL AND REOPEN DISCOVERY)

Filed by Attorney for Defendant

05/13/2008 Request for Judicial Notice

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

05/13/2008 Request-Judicial Notice

Filed by Attorney for Defendant

05/12/2008 Notice

Filed by Clerk

05/12/2008 Notice (NOTICE TO ATTORNEY IN RE NOTICE OF APPEAL)

Filed by Clerk

05/09/2008 Proof of Service (not Summons and Complaint)

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

05/09/2008 Proof of Service (RE HERMOSA BEACH DEFT.S EX PARTE APPL. FOR AN ORDER DISMISSING THIS ACTION AS A SANCTION FOR PLAINTIFF VIOLATIONS OF THIS CRT.S DISCOVERY ORDER...)

Filed by Attorney for Defendant

05/08/2008 Ex-Parte Application

Filed by DAVID NICHOLLS (Plaintiff)

05/08/2008 Ex-Parte Application (PLAINTIFF DAVID C. NICHOLLS' EX PARTE MOTION TO RE OPEN DISCOVERY AND CONTINUE TRIAL)

Filed by Plaintiff in Pro Per

05/07/2008 Opposition

Filed by DAVID NICHOLLS (Plaintiff)

05/07/2008 Opposition (FIRST AMENDED OPPOSITION TO DEFTS EX PARTE MOTION TO DISMISS AND OR TO COMPEL AND ISSUE SANCTIONS... BY FAX)

Filed by Plaintiff in Pro Per

05/06/2008 Notice of Appeal

Filed by DAVID NICHOLLS (Plaintiff)

05/06/2008 Proof of Service (not Summons and Complaint)

Filed by DAVID NICHOLLS (Plaintiff)

05/06/2008 Notice of Stay of Proceedings (Bankruptcy)

Filed by DAVID NICHOLLS (Plaintiff)

05/06/2008 Notice of Appeal

Filed by DAVID NICHOLLS (Plaintiff)

05/06/2008 Amended Proof of Service

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

05/06/2008 Notice of Change of Hearing/Trial

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

05/06/2008 Notice of Appeal (Notice of Appeal sent to civil appeals 5-08-08--no fees submitted)

Filed by Plaintiff in Pro Per

05/06/2008 Proof of Service (NOTICE OF STAY OF PROCEEDINGS BY MAIL *FAXED*)

Filed by Plaintiff in Pro Per

05/06/2008 Notice of Stay (OF PROCEEDINGS BY FAX)

Filed by Plaintiff in Pro Per

05/06/2008 Notice of Appeal (BY FAX Fwd to Civil Appeals Rm.100 5/7/08)

Filed by Plaintiff in Pro Per

05/06/2008 Amended Proof of Service (TO NOTICE OF CHANGE OF HEARING DATE ON HERMOSA BEACH DEFTS' EX PARTE APPL FOR AN ORDER DISMISSING THIS ACTION AS A SANCTION FOR PLTF'S VIOLATIONS OF THIS COURT'S DISCOVERY ORDERS,...)

Filed by Attorney for Defendant

05/06/2008 Notice of Change of Hearing/Trial (DATE ON HERMOSA BEACH DEFTS' EX PARTE APPLICATION FOR AN ORDER DISMISSING THIS ACTION AS A SANCTION FOR PLTF'S VIOLATIONS OF THIS COURT'S DISCOVERY ORDERS,... *OLD DATE:5/5/08 NEW DATE:5/8/08)

Filed by Attorney for Defendant

05/05/2008 Opposition

Filed by DAVID NICHOLLS (Plaintiff)

05/05/2008 Opposition (TO DEFENDANTS' UNTIMELY EX PARTE MOTION TO COMPEL AND DISMISS AND POSSIBLE SANCTIONS)

Filed by Plaintiff in Pro Per

05/02/2008 Notice

Filed by Clerk

05/02/2008 Statement of the Case

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

05/02/2008 Exhibit List

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

05/02/2008 Notice (NOTICE TO ATTORNEY IN RE NOTICE OF APPEAL)

Filed by Clerk

05/02/2008 Statement Of The Case (PROPOSED BY FAX)

Filed by Attorney for Defendant

05/02/2008 Exhibit List (BY FAX)

Filed by Attorney for Defendant

05/02/2008 Witness List (BY FAX)

Filed by Attorney for Defendant

05/01/2008 Notice of Ruling

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

05/01/2008 Ex-Parte Application

Filed by DAVID NICHOLLS (Plaintiff)

05/01/2008 Notice of Ruling (RE HERMOSA BEACH DEFT'S MOTION FOR DISMISSAL AS A SANCTION FOR PLTF'S VIOLATIONS OF THIS COURT'S DISCOVERY ORDERS, OR IN THE ALTV, ISSUE, EVIDENTIARY, AND/OR MONETARY SANCTIONS.)

Filed by Attorney for Defendant

05/01/2008 Ex-Parte Application (TO REQUEST FOR RECUSAL OF JUDGE DUDLEY GRAY AND/OR TO DISQUALIFY HIM.)

Filed by Plaintiff in Pro Per

04/28/2008 Opposition

Filed by DAVID NICHOLLS (Plaintiff)

04/28/2008 Opposition (AND ANSWER TO DEFTS MOTION FOR DISMISSAL AS A SANCTION FOR PLTF OF DISCOVERY ORDER, OR IN THE ALTV, ISSUE EVIDENTIARY, AND/OR MONETARY SANCTIONS.)

Filed by Plaintiff in Pro Per

04/22/2008 Notice of Ruling

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

04/22/2008 Notice of Ruling (RE PTLFS EX PARTE APPLICATION TO CONTINUE TRIAL AND REOPEN DISCOVERY.)

Filed by Attorney for Defendant

04/21/2008 Order - Other

Filed by DAVID NICHOLLS (Plaintiff)

04/21/2008 Miscellaneous-Other

Filed by DAVID NICHOLLS (Plaintiff)

04/21/2008 Opposition

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

04/21/2008 Order - Other (re: waiver of additional court fees)

Filed by Plaintiff

04/21/2008 Miscellaneous-Other (request for jury trial)

Filed by Plaintiff

04/21/2008 Opposition (TO PLTF'S EX PARTE APPLICATION TO CONTINUE TRIAL AND REOPEN DISCOVERY.)

Filed by Attorney for Defendant

04/18/2008 Answer to Second Amended Complaint

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

04/18/2008 Answer to Second Amended Complaint

Filed by Attorney for Defendant

04/07/2008 Notice

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

04/07/2008 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

04/07/2008 Motion to Dismiss

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

04/07/2008 Notice

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

04/07/2008 Ex-Parte Application

Filed by DAVID NICHOLLS (Plaintiff)

04/07/2008 Ex-Parte Application

Filed by DAVID NICHOLLS (Plaintiff)

04/07/2008 Notice (OF LODGING FEDERAL CASES IN SUPPORT OF HERMOSA BEACH DEFTS' MOTION FOR DISMISSAL AS A SANCTION FOR PLTF'S VIOLATION OF COURT'S DISCOVERY ORDER, OR IN THE ALTV, ISSUE, EVIDENTIARY....)

Filed by Attorney for Defendant

04/07/2008 Miscellaneous-Other (STATEMENT OF DISPUTED MATTERS IN SUPPORT OF MOTION FOR DISMISSAL AS A SANCTION FOR PLTF'S VIOLATION OF THIS COURT'S DISCOVERY ORDER, OR IN THE ALTV, ISSUE, EVIDENTIARY AND/OR MONETARY SANCTIONS.)

Filed by Attorney for Defendant

04/07/2008 Motion to Dismiss (AS A SANCTIONS FOR PLAINTIFF'S VILATIONS OF THIS COURT'S DISCOVERY ORDERS, OR IN THE ALTV, ISSUE, EVIDENTIARY, AND/OR MONETARY SANCTIONS.)

Filed by Attorney for Defendant

04/07/2008 Notice (OF CHANGE OF HEARING DATE ON HERMOSA BEACH DEFTS' MOTION FOR DISMISSAL AS A SANCTIONS FOR PLTF'S VIOLATIONS OF THIS COURT'S DISCOVERY ORDERS, OR IN THE ALTV, ISSUE, EVIDENTIARY, &/OR MONETARY.)

Filed by Attorney for Defendant

04/07/2008 Ex-Parte Application (PLAINTIFF DAVID NICHOLLS' EX PARTE MOTION TO CONTINUE HEARING ON MOTION TO DISMISS; DECLARATIONS OF DAVID C. NICHOLLS & JAMES TILLIPMAN; MEMORANDUM OF POINTS AND AUTHORITIES)

Filed by Plaintiff in Pro Per

04/07/2008 Ex-Parte Application (PLAINTIFF DAVID NICHOLLS' EX PARTE MOTION TO CONTINUE TRIAL AND REOPEN DISCOVERY; DECLARATIONS OF DAVID C. NICHOLLS, JAMES TILLIPMAN & MEMORANDUM OF POINTS AND AUTHORITIES)

Filed by Plaintiff in Pro Per

04/04/2008 Application

Filed by DAVID NICHOLLS (Plaintiff)

04/04/2008 Order on Court Fee Waiver (Superior Court)

Filed by DAVID NICHOLLS (Plaintiff)

04/04/2008 Application - Miscellaneous (FOR WAIVER OF COURT FEES AND COSTS)

Filed by Plaintiff in Pro Per

04/04/2008 Order-App/Waiver Court Fees & Cost (GRANTED IN WHOLE.)

Filed by Plaintiff in Pro Per

04/01/2008 Notice of Ruling

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

04/01/2008 Notice of Ruling (RE PLTF'S EX PARTE APPLICATION TO CONTINUE TRIAL AND THE HEARING ON THE HERMOSA BEACH DEFTS' MOTION FOR DISMISSAL AS A SANCTIONS FOR PLTF'S VIOLATIONS OF THIS COURT'S DISCOVERY ORDERS.)

Filed by Attorney for Defendant

03/26/2008 Substitution of Attorney

Filed by DAVID NICHOLLS (Plaintiff)

03/26/2008 Ex-Parte Application

Filed by DAVID NICHOLLS (Plaintiff)

03/26/2008 Ex-Parte Application

Filed by DAVID NICHOLLS (Plaintiff)

03/26/2008 Substitution of Attorney (FORMER: IN PRO PER NEW: JAMES M. TILLIPMAN)

Filed by Attorney for Plaintiff

03/26/2008 Ex-Parte Application (TO CONTINUE HEARING ON MOTION TO DISMISS.)

Filed by Attorney for Plaintiff

03/26/2008 Ex-Parte Application (TO CONTINUE TRIAL AND REOPEN DISCOVERY.)

Filed by Attorney for Plaintiff

03/04/2008 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

03/04/2008 Miscellaneous-Other (REPLY TO NON-OPPOSITION BY PLTF REGARDING HERMOSA BEACH DEFTS' MOTION TO COMPEL THE DEPOSITION OF PLTF DAVID NICHOLS.)

Filed by Attorney for Defendant

01/29/2008 Motion to Compel

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

01/29/2008 Motion to Compel (THE DEPOSITION OF PLTF DAVID NICHOLS.)

Filed by Attorney for Defendant

Click on any of the below link(s) to see Register of Action Items on or before the date indicated:

[TOP](#) [05/16/2008](#) [12/21/2007](#) [03/21/2007](#)

12/21/2007 Notice of Ruling

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

12/21/2007 Notice of Ruling (RE HERMOSA BEACH DEFENDANT'S MOTIONS TO COMPEL FURTHER RESPONSES TO FORM INTERROGS, SPECIAL INTERROGS AND REQUEST FOR PRODUCTION OF DOCUMENTS AND PLTF'S COUNSEL'S MOTION TO BE.....)

Filed by Attorney for Defendant

12/18/2007 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

12/18/2007 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

12/18/2007 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

12/18/2007 Miscellaneous-Other (REPLY TO NON-OPPOSITION BY PLTF REGARDING DEFT'S MOTION TO COMPEL FURTHER RESPONSES TO ITS SPECIAL INTERROGATORIES, SET ONE.)

Filed by Attorney for Defendant

12/18/2007 Miscellaneous-Other (REPLY TO NON-OPPOSITION BY PLTF REGARDING DEFT'S MTOION TO COMPEL FURTHER RESPONSES TO ITS REQUEST FOR PRODUCTION OF DOCUMENTS, SET ONE TO PLTF.)

Filed by Attorney for Defendant

12/18/2007 Miscellaneous-Other (REPLY TO NON-OPPOSTION BY PLTF REGARDING DEFT'S MOTION TO COMPEL FURTHER RESPONSES TO ITS FORM INTERROGS, SET ONE, TO PLTF.)

Filed by Attorney for Defendant

12/10/2007 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

12/10/2007 Miscellaneous-Other (NON-OPPOSITION TO PLAINTIFF'S COUNSEL'S MOTION TO BE RELIEVED AS COUNSEL.)

Filed by Attorney for Defendant

11/21/2007 Declaration

Filed by DAVID NICHOLLS (Plaintiff)

11/21/2007 Motion to Be Relieved as Counsel

Filed by DAVID NICHOLLS (Plaintiff)

11/21/2007 Declaration (IN SUPPORT OF ATTORNEY'S MOTION TO BE RELIEVED AS COUNSEL.)

Filed by Attorney for Plaintiff

11/21/2007 Motion to be Relieved as Counsel

Filed by Attorney for Plaintiff

11/08/2007 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

11/08/2007 Motion to Compel

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

11/08/2007 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

11/08/2007 Motion to Compel

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

11/08/2007 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

11/08/2007 Motion to Compel

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

11/08/2007 Miscellaneous-Other (SEPARATE STATEMENT OF MATTER IN DISPUTE IN SUPPORT OF MOTION TO COMPEL FURTHER RESPONSES TO DEFT CITY OF HERMOSA BEACH'S FORM INTERROGATORIES, SET ONE.)

Filed by Attorney for Defendant

11/08/2007 Motion to Compel (FURTHER RESPONSES TO ITS FORM INTERROGATORIES, SET ONE.)

Filed by Attorney for Defendant

11/08/2007 Miscellaneous-Other (SEPARATE STATEMENT OF MATTER IN DISPUTE IN SUPPORT OF MOTION TO COMPEL FURTHER RESPONSES TO DEFT CITY OF HERMOSA BEACH'S REQUEST OF PRODUCTION OF DOCUMENTS, SET ONE.)

Filed by Attorney for Defendant

11/08/2007 Motion to Compel (FURTHER RESPONSES TO ITS REQUEST FOR PRODUCTION OF DOCUMENTS, SET ONE.)

Filed by Attorney for Defendant

11/08/2007 Miscellaneous-Other (SEPARATE STATEMENT OF MATTER IN DISPUTED IN SUPPORT OF MOTION TO COMPEL FURTHER RESPONSES TO DEFT CITY OF HERMOSA BEACH'S SPECIAL INTERROGS.)

Filed by Attorney for Defendant

11/08/2007 Motion to Compel (FURTHER RESPONSES TO ITS SPECIAL INTERROGS, SET ONE.)

Filed by Attorney for Defendant

11/05/2007 Notice

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

11/05/2007 Notice (OF TAKING MOTIONS OFF CALENDAR SCHEDULED FOR 11/6/07 AND 11/15/07)

Filed by Attorney for Defendant

11/02/2007 Notice of Ruling

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

11/02/2007 Notice of Ruling (RE HERMOSA BEACH DEFENDANT'S EX PARTE APPLICATION TO CONTINUE TRIAL.)

Filed by Attorney for Defendant

10/25/2007 Order - Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

10/25/2007 Stipulation

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

10/25/2007 Ex-Parte Application

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

10/25/2007 Order - Other (RE: HERMOSA BEACH DEFTS' EX PARTE APP TO CONT TRIAL FILED)

Filed by Attorney for Plaintiff

10/25/2007 Stipulation (OF PARTIES TO CONTINUE THE TRIAL DATE.)

Filed by Attorney for Defendant

10/25/2007 Ex-Parte Application (TO CONTINUE TRIAL.)

Filed by Attorney for Defendant

10/12/2007 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

10/12/2007 Motion to Compel

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

10/12/2007 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

10/12/2007 Motion to Compel

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

10/12/2007 Miscellaneous-Other (SEPARATE STATEMENT OF MATTERS IN DISPUTE IN SUPPORT OF MOTION TO COMPEL FURTHER RESPONSES TO DEFT CITY OF HERMOSA BEACH'S SPECIAL INTERROGS, SET ONE.)

Filed by Attorney for Defendant

10/12/2007 Motion to Compel (RESPONSES TO ITS SPECIAL INTERROGS TO PLTFF.)

Filed by Attorney for Defendant

10/12/2007 Miscellaneous-Other (SEPARAE STATEMENT OF MATTERS IN DISPUTE IN SUPPORT OF MOTION TO COMPEL FURTHER RESPONSES TO DEFT CITY OF HERMOSA BEACH'S FORM INTERROGS, SET ONE.)

Filed by Attorney for Defendant

10/12/2007 Motion to Compel (RESPONSES TO ITS FORM INTERROGS TO PLTF.)

Filed by Attorney for Defendant

10/05/2007 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

10/05/2007 Motion to Compel

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

10/05/2007 Miscellaneous-Other (SEPARATE STATEMENT OF MATTERS IN DISPUTED IN SUPPORT OF MOTION TO COMPEL FURTHER RESPONSES TO DEFT CITY OF HERMOSA BEACH'S REQUEST FOR PRODUCTION OF DOCUMENTS, SET ONE.)

Filed by Attorney for Defendant

10/05/2007 Motion to Compel (FURTHER RESPONSES TO ITS REQUEST FOR PRODUCTION OF DOCUMENTS, SET ONE, TO PLAINTIFF.)

Filed by Attorney for Defendant

07/11/2007 Notice-Assignment-Mediator

Filed by Clerk

07/11/2007 Notice-Assignment-Mediator

Filed by ADR Clerk

07/02/2007 Case Management Statement

Filed by DAVID NICHOLLS (Plaintiff)

07/02/2007 Statement-Case Management

Filed by Attorney for Plaintiff

06/26/2007 Case Management Statement

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

06/26/2007 Statement-Case Management

Filed by Attorney for Defendant

06/19/2007 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

06/19/2007 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

06/19/2007 Miscellaneous-Other (REPLY TO NON-OPPOSITION BY PLTF REGARDING DEFENDANTS' MOTION TO STRIKE PORTIONS OF PLAINTIFF'S SECOND AMENDED COMPLAINT.)

Filed by Attorney for Defendant

06/19/2007 Miscellaneous-Other (REPLY TO NON-OPPOSITION BY PLTF REGARDING DEFENDANT'S DEMURRER TO PLAINTIFF'S SECOND AMENDED COMPLAINT.)

Filed by Attorney for Defendant

06/05/2007 Notice

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

06/05/2007 Notice (OF ATTORNEY NAME CHANGE. (BRIANNE J. QUINN - ATTY FOR DEFTS HAS CHANGED HER NAME TO BRIANNE J. SKOPINICH DUE TO HER RECENT MARRIAGE))

Filed by Attorney for Defendant

05/24/2007 Motion to Strike

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

05/24/2007 Demurrer

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

05/24/2007 Motion to Strike (PORTIONS OF PLAINTIFF'S SECOND AMENDED COMPLAINT.)

Filed by Attorney for Defendant

05/24/2007 Demurrer

Filed by Attorney for Defendant

05/14/2007 Second Amended Complaint

Filed by DAVID NICHOLLS (Plaintiff)

05/14/2007 Second Amended Complaint

Filed by Attorney for Plaintiff

04/27/2007 Case Management Statement

Filed by DAVID NICHOLLS (Plaintiff)

04/27/2007 Statement-Case Management

Filed by Attorney for Plaintiff

04/25/2007 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

04/25/2007 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

04/25/2007 Miscellaneous-Other (REPLY TO NON-OPPOSITION REGARDING DEFTS' MOTION TO STRIKE PORTIONS OF PLTF'S FIRST AMENDED COMPLAINT.)

Filed by Attorney for Defendant

04/25/2007 Miscellaneous-Other (REPLY TO NON-OPPOSITION BY PLTF REGARDING DEFTS' DEMURRER TO FIRST AMENDED COMPLAINT.)

Filed by Attorney for Defendant

04/19/2007 Case Management Statement

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant)

04/19/2007 Statement-Case Management

Filed by Attorney for Defendant

Click on any of the below link(s) to see Register of Action Items on or before the date indicated:

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03/21/2007 Case Management Statement

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant)

03/21/2007 Notice

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

03/21/2007 Motion to Strike

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

03/21/2007 Notice

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

03/21/2007 Demurrer

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

03/21/2007 Statement-Case Management

Filed by Attorney for Defendant

03/21/2007 Notice (OF LODGING FEDERAL CASES IN SUPPORT OF DEFT'S MOTION TO STRIKE PORTIONS OF PLTF'S FIRST AMENDED COMPLAINT.)

Filed by Attorney for Defendant

03/21/2007 Motion to Strike (PORTIONS OF PLTF'S FIRST AMENDED COMPLAINT.)

Filed by Attorney for Defendant

03/21/2007 Notice (OF LODGING FEDERAL CASES IN SUPPORT OF DEFT'S DEMURRER TO PLTF'S FIRST AMENDED COMPLAINT.)

Filed by Attorney for Defendant

03/21/2007 Demurrer (TO PLTF'S FIRST AMENDED COMPLAINT.)

Filed by Attorney for Defendant

03/15/2007 Amended Proof of Service

Filed by DAVID NICHOLLS (Plaintiff)

03/15/2007 Amended Proof of Service

Filed by DAVID NICHOLLS (Plaintiff)

03/15/2007 Amended Proof of Service (SERVED CITY OF HERMOSA BEACH)

Filed by Attorney for Plaintiff

03/15/2007 Amended Proof of Service (SERVED HERMOSA POLICE DEPARTMENT)

Filed by Attorney for Plaintiff

03/12/2007 Case Management Statement

Filed by DAVID NICHOLLS (Plaintiff)

03/12/2007 Statement-Case Management

Filed by Attorney for Plaintiff

02/26/2007 Rtn of Service of Summons & Compl

Filed by DAVID NICHOLLS (Plaintiff)

02/26/2007 Rtn of Service of Summons & Compl

Filed by DAVID NICHOLLS (Plaintiff)

02/26/2007 Rtn of Service of Summons & Compl (SERVED - HERMOSA POLICE DEPARTMENT)

Filed by Attorney for Plaintiff

02/26/2007 Rtn of Service of Summons & Compl (SERVED - CITY OF HERMOSA BEACH)

Filed by Attorney for Plaintiff

02/06/2007 Rtn of Service of Summons & Compl

Filed by DAVID NICHOLLS (Plaintiff)

02/06/2007 Rtn of Service of Summons & Compl (SERVED - CITY OF HERMOSA BEACH FAULTY:1.proof of service does not indicate the persons last name & title or capacity of person papers left w/; p.o.s. shows that complt was served not the FAC(2/2/07))

Filed by Attorney for Plaintiff

02/02/2007 OSC-RE Other (Miscellaneous)

Filed by Clerk

02/02/2007 Summons

Filed by DAVID NICHOLLS (Plaintiff)

02/02/2007 First Amended Complaint

Filed by DAVID NICHOLLS (Plaintiff)

02/02/2007 OSC-RE Other (Miscellaneous)

Filed by Clerk

02/02/2007 Summons Filed (RE: FIRST AMENDED COMPLAINT.)

Filed by Attorney for Plaintiff

02/02/2007 First Amended Complaint

Filed by Attorney for Plaintiff

11/08/2006 OSC-RE Other (Miscellaneous)

Filed by Clerk

11/08/2006 OSC-RE Other (Miscellaneous)

Filed by Clerk

10/30/2006 Summons

Filed by DAVID NICHOLLS (Plaintiff)

10/30/2006 Complaint

Filed by DAVID NICHOLLS (Plaintiff)

10/30/2006 Summons Filed

Filed by Attorney for Plaintiff

10/30/2006 Complaint Filed

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PROCEEDINGS HELD

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[05/02/2007](#)

06/20/2008 at 08:30 AM in Department 1
(Motion Hearing; Motion Denied) -

06/20/2008 at 08:30 am in Department SW1, Michael P. Vicencia, Presiding
Motion Hearing (1) RECONSIDER AND SET ASSIDE ORDER OF DISMISSAL AS A TERMINATING SANCTIONS
AGAINST DEFENDANTS2) RECONSIDER PLFT.S MOTION TO CONT. THE TRIAL DATE & RE-OPEN DISCOVERY) -
Motion Denied

05/30/2008 at 00:00 AM in Department Legacy
(Closed-ADR; Not Held-Rmvd ADR-Dismissed prior) -

05/30/2008 in Department ADRO, ADR Neutral, Presiding
Closed-ADR - **Not Held-Rmvd ADR-Dismissed prior**

05/13/2008 at 08:30 AM in Department 1
Jury Trial (Jury Trial; Order of Dismissal) -

05/13/2008 at 08:30 am in Department SW1, Michael P. Vicencia, Presiding
Jury Trial (Defendant's Ex parte applicationfor an order dismissing actionas a sanction) - **Order of Dismissal**

05/12/2008 at 08:30 AM in Department 1
Final Status Conference - **Held**

05/12/2008 at 08:30 am in Department SW1, Michael P. Vicencia, Presiding
Final Status Conference (2) DEFENDANTS' EX PARTEAPPLICATION FOR AN ORDERDISMISSING THIS ACTION AS
ASANCTION ...3) PLAINTIFF'S EX PARTE MOTIONTO RE OPEN DISCOVERY AND ...) - **Completed**

05/08/2008 at 08:30 AM in Department Legacy
Final Status Conference (Final Status Conference; Transferred to Other Department) -

05/08/2008 at 08:30 am in Department SBAD11, William G. Willett, Presiding
Final Status Conference (2) DEFENDANTS' EX PARTEAPPLICATION FOR AN ORDERDISMISSING THIS ACTION ...3)
PLAINTIFF'S EX PARTE MOTIONTO RE OPEN DISCOVERY AND CONTINUETRIAL) - **Transferred to Other
Department**

05/05/2008 at 08:30 AM in Department Legacy
Ex-Parte Proceedings (Exparte proceeding; Matter continued) -

05/05/2008 at 08:30 am in Department SBAD11, William G. Willett, Presiding
Exparte proceeding (DEFENDANTS HERMOSA BEACH POLICEDEPARTMENT AND THE CITY OFHERMOSA
BEACH'S EX PARTEAPPLICATION FOR AN ORDERDISMISSING THIS ACTION AS ASANCTIONS FOR THE
PLAINTIFF'S ...) - **Matter continued**

05/01/2008 at 08:30 AM in Department M
Ex-Parte Proceedings - **Held - Motion Granted**

05/01/2008 at 08:30 am in Department M, Mark S. Arnold, Presiding
Exparte proceeding (to request recusal of judge gray) - **Motion Granted**

04/28/2008 at 08:29 AM in Department M
Unknown Event Type - **Held - Motion Granted**

04/28/2008 at 08:29 am in Department M, Dudley W. Gray II, Presiding
Motion Hearing (DEFT'S (HERMOSA BEACH POLICE DEPT.ET AL) MOTION FOR DISMISSAL AS ASANCTION FOR PLTF'S VIOLATIONS OFTHIS COURT'S DISCOVERY ORDERS, ORIN THE ALTV, ISSUE, EVIDENTIARY,AND/OR MONETARY SANCTIONS.) - **Motion Granted**

04/21/2008 at 08:29 AM in Department M
Ex-Parte Proceedings (Exparte proceeding; Motion Denied) -

04/21/2008 at 08:29 am in Department M, Dudley W. Gray II, Presiding
Exparte proceeding (OF PLTF-TO CONTINUE TRIAL ANDREOPEN DISCOVERY.STATUS CONFERENCE) - **Motion Denied**

04/14/2008 at 08:30 AM in Department M
Unknown Event Type - **Held**

04/14/2008 at 08:30 am in Department M, Dudley W. Gray II, Presiding
Miscellaneous - **Completed**

04/07/2008 at 09:00 AM in Department M
Ex-Parte Proceedings (Exparte proceeding; Matter continued) -

04/07/2008 at 08:30 AM in Department M
Ex-Parte Proceedings (Exparte proceeding; Transferred to Other Department) -

04/07/2008 at 09:00 am in Department M, Ramona G. See, Presiding
Exparte proceeding (PLAINTIFF DAVID NICHOLLS EXPARTE MOTIONS:1) TO CONTINUE TRIAL AND REOPENDISCOVERY;2) TO CONTINUE HEARING ON MOTIONTO DISMISS) - **Matter continued**

04/07/2008 at 08:30 am in Department M, William G. Willett, Presiding
Exparte proceeding (PLAINTIFF DAVID NICHOLLS EXPARTE APPLICATIONS:1) TO CONTINUE TRIAL AND REOPENDISCOVERY;2) TO CONTINUE HEARING ONMOTION TO DISMISS) - **Transferred to Other Department**

03/26/2008 at 08:30 AM in Department M
Ex-Parte Proceedings (Exparte proceeding; Motion Denied) -

03/26/2008 at 08:30 am in Department M, Dudley W. Gray II, Presiding
Exparte proceeding (EX PARTE MOTION TO CONTINUE TRIALAND REOPEN DISCOVERY) - **Motion Denied**

03/19/2008 at 08:30 AM in Department M
Unknown Event Type - **Held**

03/19/2008 at 08:30 am in Department M, Dudley W. Gray II, Presiding
Miscellaneous - **Completed**

03/11/2008 at 08:29 AM in Department M
(Motion Hearing; Matter continued) -

03/11/2008 at 08:29 am in Department M, Dudley W. Gray II, Presiding
Motion Hearing (DEFT'S (CITY OF HERMOSA BEACH, ETAL) MOTION TO COMPEL THEDEPOSITION OF PLTF DAVID NICHOLS.) - **Matter continued**

12/20/2007 at 08:29 AM in Department M
Unknown Event Type - **Held - Motion Granted**

12/20/2007 at 08:29 am in Department M, Dudley W. Gray II, Presiding
Motion Hearing (DEFT'S (HERMOSA BEACH P.D., ET AL)MOTION TO COMPEL FURTHER:1. RESPONSES TO ITS

SPECIALINTERROGS; 2. RESPONSES TO ITS PRODUCTION OF DOCS; RESPONSES TO ITS FORM INTERROGATORIES.) - **Motion Granted**

11/15/2007 at 08:29 AM in Department M
(Motion Hearing; Matter Placed Off Calendar) -

11/15/2007 at 08:29 am in Department M, Dudley W. Gray II, Presiding
Motion Hearing (DEFT'S (HERMOSA BEACH P.D., ET AL) 1. MTN TO COMPEL RESPONSES TO ITS FORM INTERROGS TO PLAINTIFF. 2. MTN TO COMPEL RESPONSES TO ITS SPECIAL INTERROGS TO PLTF.) - **Matter Placed Off Calendar**

11/06/2007 at 08:29 AM in Department M
(Motion Hearing; Matter Placed Off Calendar) -

11/06/2007 at 08:29 am in Department M, Dudley W. Gray II, Presiding
Motion Hearing (DEFT'S (THERMOSA BEACH POLICE DEPT., ET AL) MOTION TO COMPEL FURTHER RESPONSES TO ITS REQUEST FOR PRODUCTION OF DOCUMENTS, SET ONE.) - **Matter Placed Off Calendar**

10/25/2007 at 08:30 AM in Department M
Ex-Parte Proceedings - **Held - Motion Granted**

10/25/2007 at 08:30 am in Department M, Dudley W. Gray II, Presiding
Ex parte proceeding (DEFT'S (HERMOSA BEACH POLICE DEPT. ET AL) EX PARTE APPL TO CONTINUE TRIAL.) - **Motion Granted**

07/11/2007 at 08:30 AM in Department M
Case Management Conference - **Held**

07/11/2007 at 08:30 am in Department M, William G. Willett, Presiding
Conference-Case Management - **Completed**

06/26/2007 at 08:29 AM in Department M
(Motion Hearing; Demurrer sustained without leave) -

06/26/2007 at 08:29 am in Department M, Lois A. Smaltz, Presiding
Motion Hearing (DEFT'S (HERMOSA BEACH POLICE DEPT. ET AL) 1. DEMURRER TO SECOND AMENDED COMPLAINT; 2. MOTION TO STRIKE PORTIONS OF SECOND AMENDED COMPLAINT.) - **Demurrer sustained without leave**

Click on any of the below link(s) to see Register of Action Items on or before the date indicated:
[TOP 05/02/2007](#)

05/02/2007 at 08:29 AM in Department M
(Motion Hearing; Demurrer sustained with leave) -

05/02/2007 at 08:29 am in Department M, Lois A. Smaltz, Presiding
Motion Hearing (DEFT'S (HERMOSA BEACH POLICE DEPT. AND THE CITY OF HERMOSA BEACH) 1. DEMURRER TO FIRST AMENDED COMPLAINT; 2. MOTION TO STRIKE PORTIONS OF FIRST AMENDED COMPLAINT.) - **Demurrer sustained with leave**

04/05/2007 at 08:30 AM in Department M
Case Management Conference (Conference-Case Management; Matter continued) -

04/02/2007 at 08:30 AM in Department M
(Court's Order to Show Cause; OSC Discharged) -

03/19/2007 at 08:30 AM in Department M
(OSC-Failure to Prosecute Case; Matter continued) -

03/19/2007 at 08:30 am in Department M, Lois A. Smaltz, Presiding
OSC-Failure to Prosecute Case (AS TO FIRST AMENDED COMPLAINT.) - **Matter continued**

02/05/2007 at 08:30 AM in Department M

(OSC-Failure to Prosecute Case; OSC Discharged) -

02/05/2007 at 08:30 am in Department M, Lois A. Smaltz, Presiding
OSC-Failure to Prosecute Case (RE DISMISSAL) - **OSC Discharged**

01/08/2007 at 08:30 AM in Department M
(OSC-Failure to Prosecute Case; Matter continued) -

01/08/2007 at 08:30 am in Department M, Lois A. Smaltz, Presiding
OSC-Failure to Prosecute Case - **Matter continued**

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10/19/2012 Order (ORDER AWARDING COSTS ON APPEAL TO DEFENDANT SIGNED AND FILED.)
Filed by Attorney for Defendant

10/19/2012 Order
Filed by Defendant

10/02/2012 Notice
Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

10/02/2012 Notice (OF ERRATA)
Filed by Attorney for Defendant

09/10/2012 Order

09/10/2012 Order (ORDER AWARDING COSTS ON APPEAL TO DEFENDANTS SIGNED AND FILED.)
Filed by Attorney for Plaintiff

07/14/2011 Order (AWARDING COSTS ON APPEAL TO DEFT RECEIVED AND SUBMITTED)
Filed by Attorney for Defendant

07/14/2011 Order
Filed by Defendant

04/25/2011 Memorandum of Costs
Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

04/25/2011 Memorandum of Costs
Filed by Attorney for Defendant

01/10/2011 Unknown Document Type
Filed by Court

01/10/2011 Remittitur filed
Filed by Court

02/23/2010 Notice
Filed by Clerk

02/23/2010 Notice (NOTICE TO PARTIES RE FEE FOR CLERK'S TRANSCRIPT ON APPEAL)

Filed by Clerk

12/15/2009 Notice (NOTICE TO SUPERIOR COURT TO INCLUDE OMITTED DESIGNATED MATERIAL IN RECORD ON APPEAL-DOC. SENT TO CIVIL APPEALS-111 NO.HILL ST., L.A. BY COUNTY MESSENGER ON 12/15/09)
Filed by Plaintiff in Pro Per

12/15/2009 Notice
Filed by DAVID NICHOLLS (Plaintiff)

07/20/2009 Notice
Filed by Clerk

07/20/2009 Notice
Filed by Clerk

04/07/2009 Notice
Filed by Clerk

04/07/2009 Notice (NOTICE TO REPORTERS TO PREPARE TRANSCRIPT ON APPEAL)
Filed by Clerk

03/05/2009 Notice
Filed by DAVID NICHOLLS (Plaintiff)

03/05/2009 Notice (DESIGNATING RECORD ON APPEAL. CLERKS AND REPORTERS TRANSCRIPT)
Filed by Plaintiff in Pro Per

11/21/2008 Order
Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

11/21/2008 Order (COSTS IN THE SUM OF \$2,057.00 APPROVED BY THE COURT.)
Filed by Attorney for Defendant

10/27/2008 Miscellaneous-Other (NOTICE TO BOOKKEEPER 10-27-08 DEPOSITED 4-18-08,SBB461346012)
Filed by Clerk

10/27/2008 Miscellaneous-Other
Filed by Clerk

09/24/2008 Proof of Service (SERVED BY MAIL TO DAVID NICHOLLS ON 09-23-08)
Filed by Attorney for Defendant

09/24/2008 Proof of Service (not Summons and Complaint)
Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

06/23/2008 Notice (NOTICE TO ATTORNEY IN RE ABANDONMENT OF APPEAL)
Filed by Clerk

06/23/2008 Notice of Ruling (RE PLFT.S MOTION TO RECONSIDER AND SET ASIDE ORDER OF DISMISSAL A AND TO RECONSIDER PFLT.S MTN. TO CONTINUE TRIAL DATE AND REOPEN DISCOVERY. (DENIED))
Filed by Attorney for Defendant

06/23/2008 Notice
Filed by Clerk

06/23/2008 Notice of Ruling
Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

06/20/2008 at 08:30 AM in Department 1
(Motion Hearing; Motion Denied) -

06/20/2008 at 08:30 am in Department SW1, Michael P. Vicencia, Presiding
Motion Hearing (1) RECONSIDER AND SET ASSIDE ORDER OF DISMISSAL AS A TERMINATING SANCTIONS AGAINST DEFENDANTS2) RECONSIDER PLFT.S MOTION TO CONT. THE TRIAL DATE & RE-OPEN DISCOVERY) -

Motion Denied**06/19/2008** Opposition

Filed by DAVID NICHOLLS (Plaintiff)

06/19/2008 Opposition (VOL 2)

Filed by Plaintiff, & Plaintiff in Pro Per

06/19/2008 Opposition (VOL. 1)

Filed by Plaintiff, & Plaintiff in Pro Per

06/19/2008 Opposition (VOL 3)

Filed by Plaintiff, & Plaintiff in Pro Per

06/19/2008 Opposition

Filed by DAVID NICHOLLS (Plaintiff)

06/19/2008 Opposition

Filed by DAVID NICHOLLS (Plaintiff)

06/13/2008 Memorandum of Costs (Cost after voluntary dismissal in the amount of \$94,381. Claimed by: Defendants)

Filed by Attorney for Defendant

06/13/2008 Memorandum of Costs

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

06/09/2008 Opposition (TO PLFT.S MOTION TO RECONSIDER AND SET ASIDE ORDER OF DISMISSAL AS A TERMINATION SANCTION AND TO ISSUE MONETARY SANCTIONS....)

Filed by Attorney for Defendant

06/09/2008 Opposition

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

06/06/2008 Notice of Entry of Judgment (of dismissal)

Filed by Attorney for Defendant

06/06/2008 Notice of Entry of Judgment

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

Click on any of the below link(s) to see Register of Action Items on or before the date indicated:

[TOP](#) [05/30/2008](#) [03/19/2008](#) [06/19/2007](#) [10/30/2006](#)**05/30/2008** at 00:00 AM in Department Legacy

(Closed-ADR; Not Held-Rmvd ADR-Dismissed prior) -

05/30/2008 in Department ADRO, ADR Neutral, PresidingClosed-ADR - **Not Held-Rmvd ADR-Dismissed prior****05/30/2008** Judgment (JUDGMENT OF DISMISSAL)

Filed by Attorney for Defendant

05/30/2008 Judgment

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

05/16/2008 Notice of Ruling (RE PLFT.S EX PARTE APPLICATION TO CONTINUE TRIAL AND REOPEN DISCOVERY)

Filed by Attorney for Defendant

05/16/2008 Notice of Ruling

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

05/16/2008 Notice of Ruling

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

05/16/2008 Notice of Ruling (RE HERMOSA BEACH RE HERMOSA BEACH DEFT.S EX PARTE APPL. FOR AN

ORDER DISM. THIS ACTION AS A SANCTION FOR PLFT. VIOLATIONS OF THIS COURT DISCOVERY ORDERS)

Filed by Attorney for Defendant

05/13/2008 at 08:30 AM in Department 1
Jury Trial (Jury Trial; Order of Dismissal) -

05/13/2008 at 08:30 am in Department SW1, Michael P. Vicencia, Presiding
Jury Trial (Defendant's Ex parte applicationfor an order dismissing actionas a sanction) - **Order of Dismissal**

05/13/2008 Request-Judicial Notice
Filed by Attorney for Defendant

05/13/2008 Request for Judicial Notice
Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

05/12/2008 at 08:30 AM in Department 1
Final Status Conference - **Held**

05/12/2008 at 08:30 am in Department SW1, Michael P. Vicencia, Presiding
Final Status Conference (2) DEFENDANTS' EX PARTEAPPLICATION FOR AN ORDERDISMISSING THIS ACTION AS
ASANCTION ...3) PLAINTIFF'S EX PARTE MOTIONTO RE OPEN DISCOVERY AND ...) - **Completed**

05/12/2008 Notice
Filed by Clerk

05/12/2008 Notice (NOTICE TO ATTORNEY IN RE NOTICE OF APPEAL)
Filed by Clerk

05/09/2008 Proof of Service (not Summons and Complaint)
Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

05/09/2008 Proof of Service (RE HERMOSA BEACH DEFT.S EX PARTE APPL. FOR AN ORDER DISMISSING THIS
ACTION AS A SANCTION FOR PLAINTIFF VIOLATIONS OF THIS CRT.S DISCOVERY ORDER...)
Filed by Attorney for Defendant

05/08/2008 at 08:30 AM in Department Legacy
Final Status Conference (Final Status Conference; Transferred to Other Department) -

05/08/2008 at 08:30 am in Department SBAD11, William G. Willett, Presiding
Final Status Conference (2) DEFENDANTS' EX PARTEAPPLICATION FOR AN ORDERDISMISSING THIS ACTION ...3)
PLAINTIFF'S EX PARTE MOTIONTO RE OPEN DISCOVERY AND CONTINUETRIAL) - **Transferred to Other
Department**

05/08/2008 Ex-Parte Application
Filed by DAVID NICHOLLS (Plaintiff)

05/08/2008 Ex-Parte Application (PLAINTIFF DAVID C. NICHOLLS' EX PARTE MOTION TO RE OPEN DISCOVERY
AND CONTINUE TRIAL)
Filed by Plaintiff in Pro Per

05/07/2008 Opposition
Filed by DAVID NICHOLLS (Plaintiff)

05/07/2008 Opposition (FIRST AMENDED OPPOSITION TO DEFTS EX PARTE MOTION TO DISMISS AND OR TO
COMPEL AND ISSUE SANCTIONS... BY FAX)
Filed by Plaintiff in Pro Per

05/06/2008 Proof of Service (NOTICE OF STAY OF PROCEEDINGS BY MAIL *FAXED*)
Filed by Plaintiff in Pro Per

05/06/2008 Notice of Appeal (Notice of Appeal sent to civil appeals 5-08-08--no fees submitted)
Filed by Plaintiff in Pro Per

05/06/2008 Notice of Appeal

Filed by DAVID NICHOLLS (Plaintiff)

05/06/2008 Proof of Service (not Summons and Complaint)

Filed by DAVID NICHOLLS (Plaintiff)

05/06/2008 Notice of Stay of Proceedings (Bankruptcy)

Filed by DAVID NICHOLLS (Plaintiff)

05/06/2008 Notice of Appeal

Filed by DAVID NICHOLLS (Plaintiff)

05/06/2008 Amended Proof of Service

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

05/06/2008 Notice of Change of Hearing/Trial

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

05/06/2008 Notice of Change of Hearing/Trial (DATE ON HERMOSA BEACH DEFTS' EX PARTE APPLICATION FOR AN ORDER DISMISSING THIS ACTION AS A SANCTION FOR PLTF'S VIOLATIONS OF THIS COURT'S DISCOVERY ORDERS,... *OLD DATE:5/5/08 NEW DATE:5/8/08)

Filed by Attorney for Defendant

05/06/2008 Amended Proof of Service (TO NOTICE OF CHANGE OF HEARING DATE ON HERMOSA BEACH DEFTS' EX PARTE APPL FOR AN ORDER DISMISSING THIS ACTION AS A SANCTION FOR PLTF'S VIOLATIONS OF THIS COURT'S DISCOVERY ORDERS,...)

Filed by Attorney for Defendant

05/06/2008 Notice of Appeal (BY FAX Fwd to Civil Appeals Rm.100 5/7/08)

Filed by Plaintiff in Pro Per

05/06/2008 Notice of Stay (OF PROCEEDINGS BY FAX)

Filed by Plaintiff in Pro Per

05/05/2008 at 08:30 AM in Department Legacy

Ex-Parte Proceedings (Exparte proceeding; Matter continued) -

05/05/2008 at 08:30 am in Department SBAD11, William G. Willett, Presiding

Exparte proceeding (DEFENDANTS HERMOSA BEACH POLICE DEPARTMENT AND THE CITY OF HERMOSA BEACH'S EX PARTE APPLICATION FOR AN ORDER DISMISSING THIS ACTION AS A SANCTIONS FOR THE PLAINTIFF'S ...) - **Matter continued**

05/05/2008 Opposition (TO DEFENDANTS' UNTIMELY EX PARTE MOTION TO COMPEL AND DISMISS AND POSSIBLE SANCTIONS)

Filed by Plaintiff in Pro Per

05/05/2008 Opposition

Filed by DAVID NICHOLLS (Plaintiff)

05/02/2008 Statement Of The Case (PROPOSED BY FAX)

Filed by Attorney for Defendant

05/02/2008 Exhibit List (BY FAX)

Filed by Attorney for Defendant

05/02/2008 Witness List (BY FAX)

Filed by Attorney for Defendant

05/02/2008 Notice

Filed by Clerk

05/02/2008 Statement of the Case

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Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

05/02/2008 Exhibit List

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

05/02/2008 Notice (NOTICE TO ATTORNEY IN RE NOTICE OF APPEAL)

Filed by Clerk

05/01/2008 at 08:30 AM in Department M

Ex-Parte Proceedings - **Held - Motion Granted**

05/01/2008 at 08:30 am in Department M, Mark S. Arnold, Presiding

Exparte proceeding (to request recusal of judge gray) - **Motion Granted**

05/01/2008 Ex-Parte Application (TO REQUEST FOR RECUSAL OF JUDGE DUDLEY GRAY AND/OR TO DISQUALIFY HIM.)

Filed by Plaintiff in Pro Per

05/01/2008 Notice of Ruling

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

05/01/2008 Ex-Parte Application

Filed by DAVID NICHOLLS (Plaintiff)

05/01/2008 Notice of Ruling (RE HERMOSA BEACH DEFT'S MOTION FOR DISMISSAL AS A SANCTION FOR PLTF'S VIOLATIONS OF THIS COURT'S DISCOVERY ORDERS, OR IN THE ALTV, ISSUE, EVIDENTIARY, AND/OR MONETARY SANCTIONS.)

Filed by Attorney for Defendant

04/28/2008 at 08:29 AM in Department M

Unknown Event Type - **Held - Motion Granted**

04/28/2008 at 08:29 am in Department M, Dudley W. Gray II, Presiding

Motion Hearing (DEFT'S (HERMOSA BEACH POLICE DEPT.ET AL) MOTION FOR DISMISSAL AS A SANCTION FOR PLTF'S VIOLATIONS OF THIS COURT'S DISCOVERY ORDERS, OR IN THE ALTV, ISSUE, EVIDENTIARY, AND/OR MONETARY SANCTIONS.) - **Motion Granted**

04/28/2008 Opposition (AND ANSWER TO DEFTS MOTION FOR DISMISSAL AS A SANCTION FOR PLTF OF DISCOVERY ORDER, OR IN THE ALTV, ISSUE EVIDENTIARY, AND/OR MONETARY SANCTIONS.)

Filed by Plaintiff in Pro Per

04/28/2008 Opposition

Filed by DAVID NICHOLLS (Plaintiff)

04/22/2008 Notice of Ruling (RE PTLFS EX PARTE APPLICATION TO CONTINUE TRIAL AND REOPEN DISCOVERY.)

Filed by Attorney for Defendant

04/22/2008 Notice of Ruling

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

04/21/2008 at 08:29 AM in Department M

Ex-Parte Proceedings (Exparte proceeding; Motion Denied) -

04/21/2008 at 08:29 am in Department M, Dudley W. Gray II, Presiding

Exparte proceeding (OF PLTF-TO CONTINUE TRIAL AND REOPEN DISCOVERY.STATUS CONFERENCE) - **Motion Denied**

04/21/2008 Order - Other

Filed by DAVID NICHOLLS (Plaintiff)

04/21/2008 Opposition (TO PLTF'S EX PARTE APPLICATION TO CONTINUE TRIAL AND REOPEN DISCOVERY.)

Filed by Attorney for Defendant

04/21/2008 Miscellaneous-Other (request for jury trial)

Filed by Plaintiff

04/21/2008 Order - Other (re: waiver of additional court fees)

Filed by Plaintiff

04/21/2008 Opposition

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

04/21/2008 Miscellaneous-Other

Filed by DAVID NICHOLLS (Plaintiff)

04/18/2008 Answer to Second Amended Complaint

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

04/18/2008 Answer to Second Amended Complaint

Filed by Attorney for Defendant

04/14/2008 at 08:30 AM in Department M

Unknown Event Type - **Held**

04/14/2008 at 08:30 am in Department M, Dudley W. Gray II, Presiding

Miscellaneous - **Completed**

04/07/2008 at 09:00 AM in Department M

Ex-Parte Proceedings (Exparte proceeding; Matter continued) -

04/07/2008 at 08:30 AM in Department M

Ex-Parte Proceedings (Exparte proceeding; Transferred to Other Department) -

04/07/2008 at 09:00 am in Department M, Ramona G. See, Presiding

Exparte proceeding (PLAINTIFF DAVID NICHOLLS EXPARTE MOTIONS:1) TO CONTINUE TRIAL AND REOPENDISCOVERY;2) TO CONTINUE HEARING ON MOTION TO DISMISS) - **Matter continued**

04/07/2008 at 08:30 am in Department M, William G. Willett, Presiding

Exparte proceeding (PLAINTIFF DAVID NICHOLLS EXPARTE APPLICATIONS:1) TO CONTINUE TRIAL AND REOPENDISCOVERY;2) TO CONTINUE HEARING ON MOTION TO DISMISS) - **Transferred to Other Department**

04/07/2008 Ex-Parte Application

Filed by DAVID NICHOLLS (Plaintiff)

04/07/2008 Notice (OF LODGING FEDERAL CASES IN SUPPORT OF HERMOSA BEACH DEFTS' MOTION FOR DISMISSAL AS A SANCTION FOR PLTF'S VIOLATION OF COURT'S DISCOVERY ORDER, OR IN THE ALTV, ISSUE, EVIDENTIARY....)

Filed by Attorney for Defendant

04/07/2008 Miscellaneous-Other (STATEMENT OF DISPUTED MATTERS IN SUPPORT OF MOTION FOR DISMISSAL AS A SANCTION FOR PLTF'S VIOLATION OF THIS COURT'S DISCOVERY ORDER, OR IN THE ALTV, ISSUE, EVIDENTIARY AND/OR MONETARY SANCTIONS.)

Filed by Attorney for Defendant

04/07/2008 Motion to Dismiss (AS A SANCTIONS FOR PLAINTIFF'S VILATIONS OF THIS COURT'S DISCOVERY ORDERS, OR IN THE ALTV, ISSUE, EVIDENTIARY, AND/OR MONETARY SANCTIONS.)

Filed by Attorney for Defendant

04/07/2008 Notice (OF CHANGE OF HEARING DATE ON HERMOSA BEACH DEFTS' MOTION FOR DISMISSAL AS A SANCTIONS FOR PLTF'S VIOLATIONS OF THIS COURT'S DISCOVERY ORDERS, OR IN THE ALTV, ISSUE, EVIDENTIARY, &/OR MONETARY.)

Filed by Attorney for Defendant

04/07/2008 Ex-Parte Application (PLAINTIFF DAVID NICHOLLS' EX PARTE MOTION TO CONTINUE HEARING ON

MOTION TO DISMISS; DECLARATIONS OF DAVID C. NICHOLLS & JAMES TILLIPMAN; MEMORANDUM OF POINTS AND AUTHORITIES)

Filed by Plaintiff in Pro Per

04/07/2008 Ex-Parte Application (PLAINTIFF DAVID NICHOLLS' EX PARTE MOTION TO CONTINUE TRIAL AND REOPEN DISCOVERY; DECLARATIONS OF DAVID C. NICHOLLS, JAMES TILLIPMAN & MEMORANDUM OF POINTS AND AUTHORITIES)

Filed by Plaintiff in Pro Per

04/07/2008 Ex-Parte Application

Filed by DAVID NICHOLLS (Plaintiff)

04/07/2008 Motion to Dismiss

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

04/07/2008 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

04/07/2008 Notice

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

04/07/2008 Notice

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

04/04/2008 Order-App/Waiver Court Fees & Cost (GRANTED IN WHOLE.)

Filed by Plaintiff in Pro Per

04/04/2008 Application - Miscellaneous (FOR WAIVER OF COURT FEES AND COSTS)

Filed by Plaintiff in Pro Per

04/04/2008 Order on Court Fee Waiver (Superior Court)

Filed by DAVID NICHOLLS (Plaintiff)

04/04/2008 Application

Filed by DAVID NICHOLLS (Plaintiff)

04/01/2008 Notice of Ruling (RE PLTF'S EX PARTE APPLICATION TO CONTINUE TRIAL AND THE HEARING ON THE HERMOSA BEACH DEFTS' MOTION FOR DISMISSAL AS A SANCTIONS FOR PLTF'S VIOLATIONS OF THIS COURT'S DISCOVERY ORDERS.)

Filed by Attorney for Defendant

04/01/2008 Notice of Ruling

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

03/26/2008 at 08:30 AM in Department M

Ex-Parte Proceedings (Exparte proceeding; Motion Denied) -

03/26/2008 at 08:30 am in Department M, Dudley W. Gray II, Presiding

Exparte proceeding (EX PARTE MOTION TO CONTINUE TRIALAND REOPEN DISCOVERY) - **Motion Denied**

03/26/2008 Substitution of Attorney (FORMER: IN PRO PER NEW: JAMES M. TILLIPMAN)

Filed by Attorney for Plaintiff

03/26/2008 Substitution of Attorney

Filed by DAVID NICHOLLS (Plaintiff)

03/26/2008 Ex-Parte Application

Filed by DAVID NICHOLLS (Plaintiff)

03/26/2008 Ex-Parte Application

Filed by DAVID NICHOLLS (Plaintiff)

03/26/2008 Ex-Parte Application (TO CONTINUE HEARING ON MOTION TO DISMISS.)

Filed by Attorney for Plaintiff

03/26/2008 Ex-Parte Application (TO CONTINUE TRIAL AND REOPEN DISCOVERY.)

Filed by Attorney for Plaintiff

Click on any of the below link(s) to see Register of Action Items on or before the date indicated:

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03/19/2008 at 08:30 AM in Department M

Unknown Event Type - **Held**

03/19/2008 at 08:30 am in Department M, Dudley W. Gray II, Presiding

Miscellaneous - **Completed**

03/11/2008 at 08:29 AM in Department M

(Motion Hearing; Matter continued) -

03/11/2008 at 08:29 am in Department M, Dudley W. Gray II, Presiding

Motion Hearing (DEFT'S (CITY OF HERMOSA BEACH, ETAL) MOTION TO COMPEL THE DEPOSITION OF PLTF DAVID NICHOLS.) - **Matter continued**

03/04/2008 Miscellaneous-Other (REPLY TO NON-OPPOSITION BY PLTF REGARDING HERMOSA BEACH DEFTS' MOTION TO COMPEL THE DEPOSITION OF PLTF DAVID NICHOLS.)

Filed by Attorney for Defendant

03/04/2008 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

01/29/2008 Motion to Compel (THE DEPOSITION OF PLTF DAVID NICHOLS.)

Filed by Attorney for Defendant

01/29/2008 Motion to Compel

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

12/21/2007 Notice of Ruling (RE HERMOSA BEACH DEFENDANT'S MOTIONS TO COMPEL FURTHER RESPONSES TO FORM INTERROGS, SPECIAL INTERROGS AND REQUEST FOR PRODUCTION OF DOCUMENTS AND PLTF'S COUNSEL'S MOTION TO BE.....)

Filed by Attorney for Defendant

12/21/2007 Notice of Ruling

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

12/20/2007 at 08:29 AM in Department M

Unknown Event Type - **Held - Motion Granted**

12/20/2007 at 08:29 am in Department M, Dudley W. Gray II, Presiding

Motion Hearing (DEFT'S (HERMOSA BEACH P.D., ET AL) MOTION TO COMPEL FURTHER: 1. RESPONSES TO ITS SPECIAL INTERROGS; 2. RESPONSES TO ITS PRODUCTION OF DOCS; RESPONSES TO ITS FORM INTERROGATORIES.) - **Motion Granted**

12/18/2007 Miscellaneous-Other (REPLY TO NON-OPPOSITION BY PLTF REGARDING DEFT'S MOTION TO COMPEL FURTHER RESPONSES TO ITS SPECIAL INTERROGATORIES, SET ONE.)

Filed by Attorney for Defendant

12/18/2007 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

12/18/2007 Miscellaneous-Other (REPLY TO NON-OPPOSITION BY PLTF REGARDING DEFT'S MOTION TO COMPEL FURTHER RESPONSES TO ITS FORM INTERROGS, SET ONE, TO PLTF.)

Filed by Attorney for Defendant

12/18/2007 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

12/18/2007 Miscellaneous-Other (REPLY TO NON-OPPOSITION BY PLTF REGARDING DEFT'S MTOION TO COMPEL FURTHER RESPONSES TO ITS REQUEST FOR PRODUCTION OF DOCUMENTS, SET ONE TO PLTF.)

Filed by Attorney for Defendant

12/18/2007 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

12/10/2007 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

12/10/2007 Miscellaneous-Other (NON-OPPOSITION TO PLAINTIFF'S COUNSEL'S MOTION TO BE RELIEVED AS COUNSEL.)

Filed by Attorney for Defendant

11/21/2007 Declaration

Filed by DAVID NICHOLLS (Plaintiff)

11/21/2007 Motion to Be Relieved as Counsel

Filed by DAVID NICHOLLS (Plaintiff)

11/21/2007 Motion to be Relieved as Counsel

Filed by Attorney for Plaintiff

11/21/2007 Declaration (IN SUPPORT OF ATTORNEY'S MOTION TO BE RELIEVED AS COUNSEL.)

Filed by Attorney for Plaintiff

11/15/2007 at 08:29 AM in Department M

(Motion Hearing; Matter Placed Off Calendar) -

11/15/2007 at 08:29 am in Department M, Dudley W. Gray II, Presiding

Motion Hearing (DEFT'S (HERMOSA BEACH P.D., ET AL)1. MTN TO COMPEL RESPONSES TO ITSFORM INTERROGS TO PLAINTIFF.2. MTN TO COMPEL RESPONSES TO ITSSPECIAL INTERROGS TO PLTF.) - **Matter Placed Off Calendar**

11/08/2007 Motion to Compel (FURTHER RESPONSES TO ITS FORM INTERROGATORIES, SET ONE.)

Filed by Attorney for Defendant

11/08/2007 Miscellaneous-Other (SEPARATE STATEMENT OF MATTER IN DISPUTE IN SUPPORT OF MOTION TO COMPEL FURTHER RESPONSES TO DEFT CITY OF HERMOSA BEACH'S FORM INTERROGATORIES, SET ONE.)

Filed by Attorney for Defendant

11/08/2007 Motion to Compel

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

11/08/2007 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

11/08/2007 Motion to Compel

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

11/08/2007 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

11/08/2007 Motion to Compel

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

11/08/2007 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

11/08/2007 Motion to Compel (FURTHER RESPONSES TO ITS SPECIAL INTERROGS, SET ONE.)

Filed by Attorney for Defendant

11/08/2007 Miscellaneous-Other (SEPARATE STATEMENT OF MATTER IN DISPUTED IN SUPPORT OF MOTION TO COMPEL FURTHER RESPONSES TO DEFT CITY OF HERMOSA BEACH'S SPECIAL INTERROGS.)

Filed by Attorney for Defendant

11/08/2007 Motion to Compel (FURTHER RESPONSES TO ITS REQUEST FOR PRODUCTION OF DOCUMENTS, SET ONE.)

Filed by Attorney for Defendant

11/08/2007 Miscellaneous-Other (SEPARATE STATEMENT OF MATTER IN DISPUTE IN SUPPORT OF MOTION TO COMPEL FURTHER RESPONSES TO DEFT CITY OF HERMOSA BEACH'S REQUEST OF PRODUCTION OF DOCUMENTS, SET ONE.)

Filed by Attorney for Defendant

11/06/2007 at 08:29 AM in Department M

(Motion Hearing; Matter Placed Off Calendar) -

11/06/2007 at 08:29 am in Department M, Dudley W. Gray II, Presiding

Motion Hearing (DEFT'S (THERMOSA BEACH POLICEDEPT., ET AL) MOTION TO COMPELFURTHER RESPONSES TO ITS REQUESTFOR PRODUCTION OF DOCUMENTS, SETONE.) - **Matter Placed Off Calendar**

11/05/2007 Notice (OF TAKING MOTIONS OFF CALENDAR SCHEDULED FOR 11/6/07 AND 11/15/07)

Filed by Attorney for Defendant

11/05/2007 Notice

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

11/02/2007 Notice of Ruling

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

11/02/2007 Notice of Ruling (RE HERMOSA BEACH DEFENDANT'S EX PARTE APPLICATION TO CONTINUE TRIAL.)

Filed by Attorney for Defendant

10/25/2007 at 08:30 AM in Department M

Ex-Parte Proceedings - **Held - Motion Granted**

10/25/2007 at 08:30 am in Department M, Dudley W. Gray II, Presiding

Exparte proceeding (DEFT'S (HERMOSA BEACH POLICE DEPT.ET AL) EX PARTE APPL TO CONTINUETRIAL.) - **Motion Granted**

10/25/2007 Stipulation (OF PARTIES TO CONTINUE THE TRIAL DATE.)

Filed by Attorney for Defendant

10/25/2007 Order - Other (RE: HERMOSA BEACH DEFTS' EX PARTE APP TO CONT TRIAL FILED)

Filed by Attorney for Plaintiff

10/25/2007 Ex-Parte Application (TO CONTINUE TRIAL.)

Filed by Attorney for Defendant

10/25/2007 Order - Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

10/25/2007 Stipulation

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

10/25/2007 Ex-Parte Application

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

10/12/2007 Miscellaneous-Other (SEPARATE STATEMENT OF MATTERS IN DISPUTE IN SUPPORT OF MOTION TO COMPEL FURTHER RESPONSES TO DEFT CITY OF HERMOSA BEACH'S SPECIAL INTERROGS, SET ONE.)

Filed by Attorney for Defendant

10/12/2007 Motion to Compel (RESPONSES TO ITS FORM INTERROGS TO PLTF.)

Filed by Attorney for Defendant

10/12/2007 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

10/12/2007 Motion to Compel

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

10/12/2007 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

10/12/2007 Motion to Compel

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

10/12/2007 Motion to Compel (RESPONSES TO ITS SPECIAL INTERROGS TO PLTFF.)

Filed by Attorney for Defendant

10/12/2007 Miscellaneous-Other (SEPARAE STATEMENT OF MATTERS IN DISPUTE IN SUPPORT OF MOTION TO COMPEL FURTHER RESPONSES TO DEFT CITY OF HERMOSA BEACH'S FORM INTERROGS, SET ONE.)

Filed by Attorney for Defendant

10/05/2007 Miscellaneous-Other (SEPARATE STATEMENT OF MATTERS IN DISPUTED IN SUPPORT OF MOTION TO COMPEL FURTHER RESPONSES TO DEFT CITY OF HERMOSA BEACH'S REQUEST FOR PRODUCTION OF DOCUMENTS, SET ONE.)

Filed by Attorney for Defendant

10/05/2007 Motion to Compel (FURTHER RESPONSES TO ITS REQUEST FOR PRODUCTION OF DOCUMENTS, SET ONE, TO PLAINTIFF.)

Filed by Attorney for Defendant

10/05/2007 Motion to Compel

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

10/05/2007 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

07/11/2007 at 08:30 AM in Department M

Case Management Conference - **Held**

07/11/2007 at 08:30 am in Department M, William G. Willett, Presiding

Conference-Case Management - **Completed**

07/11/2007 Notice-Assignment-Mediator

Filed by ADR Clerk

07/11/2007 Notice-Assignment-Mediator

Filed by Clerk

07/02/2007 Case Management Statement

Filed by DAVID NICHOLLS (Plaintiff)

07/02/2007 Statement-Case Management

Filed by Attorney for Plaintiff

06/26/2007 at 08:29 AM in Department M

(Motion Hearing; Demurrer sustained without leave) -

06/26/2007 at 08:29 am in Department M, Lois A. Smaltz, Presiding

Motion Hearing (DEFT'S (HERMOSA BEACH POLICE DEPT,ET AL) 1. DEMURRER TO SECONDAMENDED COMPLAINT; 2. MOTION TOSTRIKE PORTIONS OF SECOND AMENDED COMPLAINT.) - **Demurrer sustained without leave**

06/26/2007 Case Management Statement

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

06/26/2007 Statement-Case Management

Filed by Attorney for Defendant

Click on any of the below link(s) to see Register of Action Items on or before the date indicated:

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06/19/2007 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

06/19/2007 Miscellaneous-Other (REPLY TO NON-OPPOSITION BY PLTFF REGARDING DEFENDANT'S DEMURRER TO PLAINTIFF'S SECOND AMENDED COMPLAINT.)

Filed by Attorney for Defendant

06/19/2007 Miscellaneous-Other (REPLY TO NON-OPPOSITION BY PLTF REGARDING DEFENDANTS' MOTION TO STRIKE PORTIONS OF PLAINTIFF'S SECOND AMENDED COMPLAINT.)

Filed by Attorney for Defendant

06/19/2007 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

06/05/2007 Notice

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

06/05/2007 Notice (OF ATTORNEY NAME CHANGE. (BRIANNE J. QUINN - ATTY FOR DEFTS HAS CHANGED HER NAME TO BRIANNE J. SKOPINICH DUE TO HER RECENT MARRIAGE))

Filed by Attorney for Defendant

05/24/2007 Demurrer

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

05/24/2007 Motion to Strike

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

05/24/2007 Motion to Strike (PORTIONS OF PLAINTIFF'S SECOND AMENDED COMPLAINT.)

Filed by Attorney for Defendant

05/24/2007 Demurrer

Filed by Attorney for Defendant

05/14/2007 Second Amended Complaint

Filed by DAVID NICHOLLS (Plaintiff)

05/14/2007 Second Amended Complaint

Filed by Attorney for Plaintiff

05/02/2007 at 08:29 AM in Department M

(Motion Hearing; Demurrer sustained with leave) -

05/02/2007 at 08:29 am in Department M, Lois A. Smaltz, Presiding

Motion Hearing (DEFT'S (HERMOSA BEACH POLICE DEPTAND THE CITY OF HERMOSA BEACH)1. DEMURRER TO FIRST AMENDED COMPLAINT; 2. MOTION TO STRIKE PORTIONS OF FIRST AMENDED COMPLT.) - **Demurrer sustained with leave**

04/27/2007 Statement-Case Management

Filed by Attorney for Plaintiff

04/27/2007 Case Management Statement

Filed by DAVID NICHOLLS (Plaintiff)

04/25/2007 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

04/25/2007 Miscellaneous-Other

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

04/25/2007 Miscellaneous-Other (REPLY TO NON-OPPOSITION REGARDING DEFTS' MOTION TO STRIKE PORTIONS OF PLTF'S FIRST AMENDED COMPLAINT.)

Filed by Attorney for Defendant

04/25/2007 Miscellaneous-Other (REPLY TO NON-OPPOSITION BY PLTF REGARDING DEFTS' DEMURRER TO FIRST AMENDED COMPLAINT.)

Filed by Attorney for Defendant

04/19/2007 Case Management Statement

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant)

04/19/2007 Statement-Case Management

Filed by Attorney for Defendant

04/05/2007 at 08:30 AM in Department M

Case Management Conference (Conference-Case Management; Matter continued) -

04/02/2007 at 08:30 AM in Department M

(Court's Order to Show Cause; OSC Discharged) -

03/21/2007 Motion to Strike (PORTIONS OF PLTF'S FIRST AMENDED COMPLAINT.)

Filed by Attorney for Defendant

03/21/2007 Notice (OF LODGING FEDERAL CASES IN SUPPORT OF DEFT'S DEMURRER TO PLTF'S FIRST AMENDED COMPLAINT.)

Filed by Attorney for Defendant

03/21/2007 Demurrer (TO PLTF'S FIRST AMENDED COMPLAINT.)

Filed by Attorney for Defendant

03/21/2007 Demurrer

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

03/21/2007 Notice

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

03/21/2007 Statement-Case Management

Filed by Attorney for Defendant

03/21/2007 Notice

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

03/21/2007 Case Management Statement

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant)

03/21/2007 Notice (OF LODGING FEDERAL CASES IN SUPPORT OF DEFT'S MOTION TO STRIKE PORTIONS OF PLTF'S FIRST AMENDED COMPLAINT.)

Filed by Attorney for Defendant

03/21/2007 Motion to Strike

Filed by HERMOSA BEACH POLICE DEPARTMENT (Defendant); HERMOSA BEACH, CITY OF (Defendant)

03/19/2007 at 08:30 AM in Department M

(OSC-Failure to Prosecute Case; Matter continued) -

03/19/2007 at 08:30 am in Department M, Lois A. Smaltz, Presiding

OSC-Failure to Prosecute Case (AS TO FIRST AMENDED COMPLAINT.) - **Matter continued**

03/15/2007 Amended Proof of Service (SERVED HERMOSA POLICE DEPARTMENT)

Filed by Attorney for Plaintiff

03/15/2007 Amended Proof of Service (SERVED CITY OF HERMOSA BEACH)

Filed by Attorney for Plaintiff

03/15/2007 Amended Proof of Service

Filed by DAVID NICHOLLS (Plaintiff)

03/15/2007 Amended Proof of Service

Filed by DAVID NICHOLLS (Plaintiff)

03/12/2007 Case Management Statement

Filed by DAVID NICHOLLS (Plaintiff)

03/12/2007 Statement-Case Management

Filed by Attorney for Plaintiff

02/26/2007 Rtn of Service of Summons & Compl (SERVED - HERMOSA POLICE DEPARTMENT)

Filed by Attorney for Plaintiff

02/26/2007 Rtn of Service of Summons & Compl (SERVED - CITY OF HERMOSA BEACH)

Filed by Attorney for Plaintiff

02/26/2007 Rtn of Service of Summons & Compl

Filed by DAVID NICHOLLS (Plaintiff)

02/26/2007 Rtn of Service of Summons & Compl

Filed by DAVID NICHOLLS (Plaintiff)

02/06/2007 Rtn of Service of Summons & Compl

Filed by DAVID NICHOLLS (Plaintiff)

02/06/2007 Rtn of Service of Summons & Compl (SERVED - CITY OF HERMOSA BEACH FAULTY:1.proof of service does not indicate the persons last name & title or capacity of person papers left w/; p.o.s. shows that complt was served not the FAC(2/2/07))

Filed by Attorney for Plaintiff

02/05/2007 at 08:30 AM in Department M

(OSC-Failure to Prosecute Case; OSC Discharged) -

02/05/2007 at 08:30 am in Department M, Lois A. Smaltz, Presiding

OSC-Failure to Prosecute Case (RE DISMISSAL) - **OSC Discharged**

02/02/2007 Summons

Filed by DAVID NICHOLLS (Plaintiff)

02/02/2007 First Amended Complaint

Filed by DAVID NICHOLLS (Plaintiff)

02/02/2007 First Amended Complaint

Filed by Attorney for Plaintiff

02/02/2007 Summons Filed (RE: FIRST AMENDED COMPLAINT.)

Filed by Attorney for Plaintiff

02/02/2007 OSC-RE Other (Miscellaneous)

Filed by Clerk

02/02/2007 OSC-RE Other (Miscellaneous)

Filed by Clerk

01/08/2007 at 08:30 AM in Department M

(OSC-Failure to Prosecute Case; Matter continued) -

01/08/2007 at 08:30 am in Department M, Lois A. Smaltz, Presiding

OSC-Failure to Prosecute Case - **Matter continued**

11/08/2006 OSC-RE Other (Miscellaneous)

Filed by Clerk

11/08/2006 OSC-RE Other (Miscellaneous)

Filed by Clerk

Click on any of the below link(s) to see Register of Action Items on or before the date indicated:

[TOP](#) [05/30/2008](#) [03/19/2008](#) [06/19/2007](#) [10/30/2006](#)

10/30/2006 Summons

Filed by DAVID NICHOLLS (Plaintiff)

10/30/2006 Complaint

Filed by DAVID NICHOLLS (Plaintiff)

10/30/2006 Summons Filed

Filed by Attorney for Plaintiff

10/30/2006 Complaint Filed

Click on any of the below link(s) to see Register of Action Items on or before the date indicated:

[TOP](#) [05/30/2008](#) [03/19/2008](#) [06/19/2007](#) [10/30/2006](#)

Exhibit E

City of Hermosa Beach v. David Nicholls (3rd
Dist. – Silver Summit – Case No. 126501480)

3RD DISTRICT CT- SILVER SUMMIT
SUMMIT COUNTY, STATE OF UTAH

CO FRANK HARRELL CITY OF HERMOSA BEACH vs. DAVID NICHOLLS
CASE NUMBER 126501480 Foreign Judgment

CURRENT ASSIGNED JUDGE
RICHARD MRAZIK

PARTIES

Plaintiff - CO FRANK HARRELL CITY OF HERMOSA BEACH

Defendant - DAVID NICHOLLS

ACCOUNT SUMMARY

Total Revenue Amount Due:	35.00
Amount Paid:	35.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: FOREIGN JUDGMENT

Original Amount Due:	35.00
Amended Amount Due:	35.00
Amount Paid:	35.00
Amount Credit:	0.00
Balance:	0.00

CASE NOTE

PROCEEDINGS

12-20-2012	Judgment Entered - Amount \$3921.00	debbiekf
12-20-2012	Case filed by debbiekf	
12-20-2012	Judge TODD M SHAUGHNESSY assigned.	
12-20-2012	Filed judgment: Foreign Judgment	
12-20-2012	Filed judgment: Foreign Judgment	
12-20-2012	Fee Account created Total Due: 35.00	
12-20-2012	Fee Account created	
12-20-2012	FOREIGN JUDGMENT 35.00	
	Note: Code Description: FOREIGN JUDGMENT	
12-20-2012	Filed: Affidavit of Scott D. Danforth	
12-20-2012	**** PRIVATE **** Filed: Judgment Information Statement	
12-20-2012	Filed: Notice of Judgment	
12-20-2012	Case disposition is Judgment	
	Disposition Judge is TODD M SHAUGHNESSY	

CASE NUMBER: 126501480 Foreign Judgment

05-22-2015 Judge PAIGE PETERSEN assigned.
06-02-2017 Judge KENT HOLMBERG assigned.
01-06-2020 Judge RICHARD MRAZIK assigned.

Exhibit F

U.S. Dept. of Agricultural Rural – Development Centralized Servicing Center: Mortgage Statement

Document Page 69 of 78
United States Department of Agriculture
Rural Development
Centralized Servicing Center
P.O. Box 790301
St. Louis, MO 63179
(800) 414-1226 (Voice)
(800) 438-1832 (TDD/TTY Hearing Impaired Only) or
(314) 457-4433 (FAX)

DAVID C. NICHOLLS

12/23/19

UT

RE: Loan Number 1868

Dear Sir or Madam,

This letter is in response to your request for information regarding the above mentioned Rural Development loan. This is not a payoff statement. Instructions on how to receive a payoff statement are on Page 2 of this letter.

What does this letter mean?

This letter includes a Statement of Loan Balances, instructions on how to receive a payoff statement, and information about subsidy recapture and capital improvements.

Please note - a separate letter will be prepared for each loan.

What Does the "Statement of Loan Balances" mean?

The attached Statement of Loan Balances provides the current outstanding balances of the loan, which includes principal, interest, fees, late charges, and escrow (if applicable). The statement also includes the total amount of payment assistance (subsidy) granted. The amount of subsidy can be quite large, but you should not be alarmed. In many cases this amount is reduced when subsidy recapture is calculated.

For questions regarding this letter, please call Customer Service at 1-800-414-1226 or 1-800-438-1832 (TDD/TTY Hearing Impaired Only), 7 a.m. to 5 p.m., Monday through Friday, Central Time. With a touch-tone telephone, the Interactive Voice Response (IVR) system can provide, automated confidential account information, 7 days per week outside of normal business hours. Please refer to the loan number when you write or call us.

You may write to us at: USDA-RD/CSC, P.O. Box 66889, St. Louis, MO 63166.

Sincerely,

Payoff/Research Section
Centralized Servicing Center

Web: <http://www.rurdev.usda.gov>
"USDA is an equal opportunity provider, employer and lender."
To file a complaint of discrimination write USDA, Office of Civil Rights, Programs, 300 7th Street SW, Room 400 (Stop 9430), Washington, DC 20250-9410 or call (866) 632-9992 (Voice), (202) 401-0216 (TDD/TTY Hearing Impaired Only) or (202) 720-8046 (FAX)

STATEMENT OF LOAN BALANCES

Balances as of 12/23/19

Loan # 1868

\$	194536.48	Principal
\$	649.57	Interest
\$	0.00	Fees
\$	0.00	Late Charges
\$	0.00	Escrow Due
\$	54255.82	Subsidy

This is not a payoff statement. In order to provide a payoff statement we must calculate the amount of subsidy to be paid back to the Government (subsidy recapture). Subsidy recapture is a calculation based on the current value of the property. If there have been major improvements (capital improvements) made to the property, they may be considered in the recapture calculation. For information about subsidy recapture, including capital improvements, see Page 3 of this letter. For information on how to receive a payoff statement see HOW TO RECEIVE A PAYOFF STATEMENT below.

HOW TO RECEIVE A PAYOFF STATEMENT

In order to calculate subsidy recapture and provide a payoff statement certain documents are necessary. The type of transaction (refinancing, selling, or just paying off) will determine the documents needed. Provide the documents as indicated below.

Refinancing

- * customer authorization to release payoff to a third party (if applicable)
- * the date of payoff
- * a copy of an appraisal from a certified appraiser (usually available from the lender)
- * a copy of the Good Faith Estimate or estimated settlement statement from the lender

Selling

- * customer authorization to release payoff to a third party (if applicable)
- * the date of payoff
- * a copy of the signed sales agreement or a copy of an appraisal from a certified appraiser
- * a copy of the estimated settlement statement from the closing agent

Paying off the loan and not refinancing or selling

- * customer authorization to release payoff to a third party (if applicable)
- * a copy of an appraisal from a certified appraiser. Refer to the local yellow pages or the internet for certified appraisers in your area.

You can fax or mail payoff documents to us. Our fax number is 314-457-4433. Our address is:

USDA-RD/CSC
P.O. Box 790301
St. Louis, MO 63179

Please allow 5 business days to receive a payoff statement. See Page 3 for additional payoff information.

PAYOFF INFORMATION

What is subsidy recapture?

Subsidy granted by Rural Development to customers on loans approved after October 1, 1979 is subject to subsidy recapture. This means that when the property is sold, transferred, or is no longer occupied by the customer, all or part of the subsidy granted must be repaid to the Government. The amount of subsidy recapture will be determined by the increase in property value since the loan originated. Subsidy recapture must be calculated when the loan is paid off.

When does subsidy recapture have to be paid?

Subsidy recapture must be paid when the property is sold, transferred, or is no longer occupied by the customer.

If the property is being sold, the subsidy recapture must be paid when the loan is paid in full.

If the loan is being paid off but the customer continues to live in the property there are 2 options:

- 1) Pay subsidy recapture when the loan is paid off. The subsidy recapture will be discounted by 25% if this option is chosen.
- 2) Defer payment of subsidy recapture until the property is sold, transferred, or is no longer occupied by the customer. The subsidy recapture will not be discounted when the loan is paid off, nor will the discount apply in the future if this option is chosen.

Are capital improvements considered in the subsidy recapture calculation?

If certain improvements, referred to as capital improvements, are made to the property, the value the improvements added may be used to reduce subsidy recapture owed. To receive credit for capital improvements, the appraiser should submit an addendum to the appraisal. Instruct the appraiser that an itemized list of the improvements or additions, and the value the improvements or additions added to the property should be submitted along with the appraisal. The cost of the improvements or additions should not be submitted and will not be used. Replacement items such as kitchen cabinets, floor coverings, roofing, siding, furnances, appliances, and water heaters are not considered capital improvements. Maintenance items or repairs that maintain the property in good condition, such as yard maintenance, painting, and wallpapering are also not considered capital improvements in our calculation of subsidy recapture. Examples of capital improvements include, but are not limited to, room additions, adding a fence, deck, or enclosed porch.

Can I get an estimate of the payoff if I don't have an appraisal or sales agreement?

With a touch-tone telephone, call 1-800-414-1226, and our Interactive Voice Response (IVR) system can provide an estimated payoff amount based on the information you enter. The IVR is easy to use and will provide instructions when you call. To calculate the estimated payoff amount you will need to enter the estimated value of the property and any closing costs that may be incurred as a result of selling or refinancing the loan. This information is necessary to estimate the subsidy recapture to be paid.

Exhibit G

Zions Bank November HELOC Statement

Your Home Equity Credit Line Account PAGE 1

DAVID CHARLES NICHOLLS

Loan Number: *****5340

For 24 hour account information call Reddi-Response at the telephone number for your area listed on the reverse side of this statement.

CREDIT AND PAYMENT INFORMATION

	STATEMENT DATE	CREDIT LIMIT	AVAILABLE CREDIT	PAYMENT DUE DATE
YOUR ACCOUNT	11/15/2019	20,000.00	0.00	12/10/2019
STATUS	CURRENT PAYMENT DUE *	PAST DUE	LATE CHARGE DUE	MINIMUM AMOUNT DUE
	88.02	0.00	0.00	88.02

* Interest only unless your loan requires an additional monthly principal payment

INTEREST CHARGE INFORMATION

YOUR ACCOUNT	ANNUAL PERCENTAGE RATE (APR)	DAILY PERIODIC RATE	BALANCE SUBJECT TO INTEREST CHARGE	DAYS IN STATEMENT CYCLE	PERIODIC INTEREST CHARGE
****5340	6.5900	0.0180	16,251.44	30	88.02
INTEREST PAID YEAR TO DATE		1,045.15	INTEREST PAID LAST YEAR		873.95

ACTIVITY SUMMARY

YOUR ACCOUNT	PREVIOUS PRINCIPAL BALANCE	PRINCIPAL ADVANCES/CHARGES	PRINCIPAL PAYMENTS/ADJUSTMENTS	NEW PRINCIPAL BALANCE*	CURRENT PAYMENT DUE
****5340	16,251.44	0.00	0.00	16,251.44	88.02
TOTAL	16,251.44	0.00	0.00	16,251.44	88.02

*THIS IS NOT A PAYOFF AMOUNT

PLEASE NOTE: If your original loan or other debt obligation has been discharged through a bankruptcy proceeding, or is currently subject to an automatic stay in a pending bankruptcy, then this statement is sent only in order to comply with state and federal law, is for notice and informational purposes only and is not a demand for payment. If your loan or debt obligation has been discharged in bankruptcy, you are no longer personally liable for any outstanding balances, however, the bank may still have an enforceable lien against your property.

Please remit below portion with your payment

ZIONS BANK.

CIF DEPARTMENT
P.O. BOX 30709
SALT LAKE CITY, UT 84130

Home Equity Credit Line Payment Coupon

Your Account Number *****5340
Your Payment Due Date Is: 12/10/2019
Total Minimum Payment Due: 88.02

RL504B 0026927 01 AB 0.409 **AUTO T3 0 3699 89115-354029 -C01-P26953-1



DAVID CHARLES NICHOLLS



**YOU HAVE ELECTED FOR AUTOMATIC PAYMENTS
DEFINED AS DUE AMOUNT WHICH WILL APPLY A
PAYMENT OF \$88.02.**

5340

Exhibit H

2019 Summit County Property Tax Assessment

Account 0475218

Location	Owner	Value
Account Number 0475218	Name NICHOLLS DAVID C	Market (2019) \$228,500
Acres 0	PO BOX 680016	Taxable \$125,675
Situs 2064 SNOW CREEK LN ,	PARK CITY, UT 84068-0016	Tax Area: 60 Tax Rate: 0.008316
Tax District 60 - PARK CITY A,J,K,U (D-D) (A-2)		Type Actual Assessed SQFT Units
Parcel Number SCCC-2064		Improvement \$178,500 \$98,175 1530.000
Legal UNIT 2064 SNOW CREEK COTTAGES CONDOMINIUMS; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE. CONT 1,530 SQ FT TOGETHER WITH AN UND 7.69% INT IN THE COMMON AREA. 2038-1327		Land \$50,000 \$27,500 1.000

Transfers
Entry Number Form Name Recording Date
00902202 Warranty Deed 32 07/01/2010 12:05:20 PM
00896386 04/20/2010 08:30:51 AM

Tax	Images
Tax Year Taxes	
2019 \$1,045.11	
2018 \$1,034.56	

Exhibit H

2019 Summit County Property Tax Assessment

Account 218

<u>Location</u>		<u>Owner</u>	<u>Value</u>			
Account Number	218	Name	NICHOLLS DAVID C	Market (2019)	\$228,500	
Acres	0	PO BOX	680016	Taxable	\$125,675	
Situs	2064 SNOW CREEK LN ,	PARK CITY, UT	84068-0016	Tax Area:	60	Tax Rate: 0.008316
Tax District	60 - PARK CITY A,J,K,U (D-D)			Type	Actual	Assessed SQFT Units
(A-2)				Improvement	\$178,500	\$98,175 1530.000
Parcel Number	SCCC-2064			Land	\$50,000	\$27,500 1.000
Legal	UNIT 2064 SNOW CREEK COTTAGES CONDOMINIUMS; ACCORDING TO THE OFFICIAL PLAT ON FILE IN THE SUMMIT COUNTY RECORDERS OFFICE. CONT 1,530 SQ FT TOGETHER WITH AN UND 7.69% INT IN THE COMMON AREA. 2038-1327					

Transfers

Entry Number	Form Name	Recording Date
00902202	Warranty Deed 32	07/01/2010 12:05:20 PM
00896386		04/20/2010 08:30:51 AM

<u>Tax</u>		<u>Images</u>
Tax Year	Taxes	
2019	\$1,045.11	
2018	\$1,034.56	

Exhibit I

Debtor(s)'s Liens/Exemption Calculation*

Exemption	\$42,000.00
Original Judgment – A. Edward Ezor	\$9,778.11
Original Judgment – City of Hermosa Beach	\$2,057.00
Original Judgement – David Doyle dba Quarrystone Financial Services	\$19,495.14
Mortgage lien - USDA	\$194,536.48
Mortgage Subsidy - USDA	\$54,255.82
HELOC – Zion’s Bank	\$16,251.44
Total Liens and exemption	\$338,373.99
Debtor’s Interest (Value)	\$228,500.00
less liens	\$338,373.99
Value of Debtor’s Interest	\$(109,873.99)

(This amount exceeds the entire amount of the judgment lien)

* The method of this calculation is taken from *Zeigler v. Cozad*, Bankr. 208 B.R. 495 (10th Cir. BAP 1997) and 11 U.S.C. §522(f)(2)(A)